

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/5/2017 3:53:00 PM
To: Kuykendall, Taylor [Taylor.Kuykendall@spglobal.com]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: RE: Seeking source or clarification on coal jobs numbers

Taylor – Here is a quote you can attribute to me:

America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs.

From: Graham, Amy
Sent: Monday, June 5, 2017 10:57 AM
To: 'Kuykendall, Taylor' <Taylor.Kuykendall@spglobal.com>
Cc: Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>
Subject: RE: Seeking source or clarification on coal jobs numbers

Hi Taylor – The following information is on background:

Administrator Pruitt was trying to underscore the fact that America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration.

In his discussion with Chuck Todd, he meant to say "mining", instead of "coal" and he was using statistics from the June 2nd 2017 BLS jobs report. Page two of the release below explains, "Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gains in support activities for mining."

We will provide additional context to clarify this point moving forward, in addition to further information about this report, showing that "Since January, the unemployment rate has declined by 0.5 percentage point, and the number of unemployed has decreased by 774,000."

<https://www.bls.gov/news.release/pdf/empsit.pdf>

Thanks,
Amy

From: Kuykendall, Taylor [mailto:Taylor.Kuykendall@spglobal.com]
Sent: Monday, June 5, 2017 10:43 AM
To: Press <Press@epa.gov>; schaffer, joan <schafer.joan@epa.gov>
Subject: Seeking source or clarification on coal jobs numbers

Hello,

I am a coal reporter with S&P Global Market Intelligence. I was hoping you could clarify a recent claim Administrator Scott Pruitt made on Meet the Press and other television appearances over the weekend. Mr. Pruitt claimed that the coal industry has added 50,000 jobs under the new administration, which seems very far away from published numbers from MSHA and BLS. Could you please provide the source of Mr. Pruitt's figures or clarify what those numbers represent?

Thank you,

Taylor Kuykendall

Reporter

taylor.kuykendall@spglobal.com

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Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/4/2017 5:08:05 PM
To: Yeganeh.Torbati@thomsonreuters.com
CC: Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
Subject: Re: question on Administrator Pruitt's job claim

Hi - On background, here is more information:

<https://www.bls.gov/news.release/pdf/empsit.pdf>

America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration.

In May 6,600 mining jobs, including coal, were added to the economy, 46,700 since October, 2016.

Sent from my iPhone

On Jun 4, 2017, at 10:20 AM, "Yeganeh.Torbati@thomsonreuters.com" <Yeganeh.Torbati@thomsonreuters.com> wrote:

Hello,

Administrator Pruitt said on Meet the Press that "in the month of May alone, almost 7,000 jobs" were created in the coal sector. But BLS statistics show that 400 jobs were created. Can you point us to the statistics that he was citing? Thanks very much.

Best,
Yeganeh

Yeganeh Torbati
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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/3/2018 1:12:07 PM
To: Robert Barowski [RBarowski@WestwoodOne.com]; JVerdi@WestwoodOne.com
CC: Jahan Wilcox (wilcox.jahan@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: RE: Administrator Pruitt on Michael Savage today

Robert - -- Below, please find some information on Administrator Pruitt's accomplishments. Hopefully this will inform the show. Look forward to talking Monday morning – Liz

- **EPA Accomplishments in 2017 Under Scott Pruitt: Administrator Pruitt led EPA by his three core principles: rule of law, process and cooperative federalism.**
 - **Action:** EPA proposed repeal of Waters of U.S. Rule, where the Obama Administration was regulating ditches and puddles in farmer's back yards.
 - **Action:** EPA is repealing the Clean Power Plan, the previous administration's symbol of Obama's "War on Coal" that threatened 400,000 U.S. jobs
 - **Action:** Administrator Pruitt ended 'Sue and Settle' at EPA – or 'regulation through litigation' where activist groups pushed their agendas through backroom deals with the Agency
- **Regulatory Reform and Economic Growth: Tax Reform and Regulatory Relief are partners in the economic boom we are now seeing: EPA is – undoubtedly – the most action-oriented agency in regard to providing regulatory relief to American businesses.**
 - The U.S. lost roughly 286,000 manufacturing jobs over eight years under Obama. From December 2016 to December 2017, manufacturing jobs grew by about 196,000.
 - **Jay Timmons, CEO of National Association of Manufacturers:** Manufacturing is at an all-time high, adding \$2.5 Trillion to U.S. economy, because "We have a White House and a Congress who have freed manufacturers from some of the most overreaching and onerous regulations, allowing us to grow, invest and create jobs. And the best news is that many regulatory reforms and the Trump tax cuts are just taking effect, so we look forward to even stronger numbers moving forward. In fact, in our latest Manufacturers' Outlook Survey, 63 percent said business tax reform would encourage their companies to spend more on their facilities and equipment, and 58 percent said they would expand their businesses. In addition, 54 percent said they would hire more workers, and almost half planned to increase wages and benefits."
- **Cleaning Up Toxic Land Sites, via Superfund:** EPA is addressing the nation's most toxic lands to ensure they get cleaned up. These "superfund sites" are being addressed now with action and results:
 - Under the Obama administration, the number of the worst contaminated sites in Superfund increased by 82.
 - By the end of this year, EPA will be on track to clean up, in whole or part, 27 Superfund sites this year.

- **Meetings with Industry/Travel:** In one year, Administrator Pruitt visited nearly 30 states and met with 35 governors. He met with many other stakeholders who were largely ignored by the previous administration.
- **Addressing Conflicts in EPA's Science Boards:** EPA has increased the representation of EPA's science boards to include more geographic diversity, increasing past representation from 32 states to over 40. Administrator Pruitt issued a directive to ensure that those who serve on these boards are not also getting grant money from EPA.

EPA Look Ahead to 2018

- **True Environmentalism is Stewardship, not Prohibition:** Administrator Pruitt will draw attention to "True Environmentalism," where we harness our natural resources for good — a dramatic change from the overregulation and "do not touch" approach of the previous administration.
- **Administrator Pruitt will declare a "War on Lead":** He will spearhead an ambitious, multi-faceted approach to eradicate lead exposure and advance the goal of clean and safe drinking water in every community in America.
- **Polling tells us that while environmental protection is in the top ten of Americans' policy priorities, climate change ranks in about 18th (only more important than dealing with global trade) from 2010-2018.**
 - This means that Americans care about tangible environmental results, like the things Administrator Pruitt is focusing on: clean air, land, water and punishing bad actors.
 - http://www.people-press.org/2018/01/25/economic-issues-decline-among-publics-policy-priorities/012518_10/

SUPERFUNDS & WEST LAKE SUPERFUND ...

At Superfund sites, Scott Pruitt could flip his industry-friendly script. "In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests. Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought. 'Scott Pruitt is probably the most important person right now in the lives of the people in this community,' said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis. The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days. There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner. 'Depending on the decision [Pruitt] makes,' Chapman said, 'he will probably forever remain the hero or the villain in the eyes of this community.'" ([The Washington Post](#), 01/23/18)

Scott Pruitt vows to speed the nation's Superfund cleanups. Communities wonder how. "Dawn Chapman had listened with surprise and skepticism as the new head of the Environmental Protection Agency vowed to clean up West Lake, the nuclear waste dump that has filled her days and nights with worry. 'The past administration honestly just didn't pay attention to [it],' Scott Pruitt stressed on a local radio show in April. "We're going to get things done at West Lake. The days of talking are over.' The next month, Pruitt took to television to say a plan for the site was coming 'very soon' as part of his push to prioritize Superfund cleanups across the country. 'It's not a matter of money,' he said. 'It's a matter of leadership and attitude and

management.’ On a blue-sky afternoon, Chapman sat in her small home in this leafy St. Louis suburb and mulled the latest set of promises from Washington — this time from a man known more for suing the EPA and rolling back environmental regulations than for cracking down on pollution. ‘Why our site? Why now? Can he keep those promises?’ the mother of three wondered. Her family lives only a couple of miles from West Lake, a contaminated landfill that contains thousands of tons of waste from the World War II-era Manhattan Project. ‘My biggest fear is he’s just going to put a Band-Aid on it.’” ([The Washington Post](#), 06/18/17)

West Lake has been on EPA’s Superfund list for 28 years, yet no decision has been made about how to clean up this toxic land site, which will change next week. “The West Lake Landfill Superfund Site is located in Bridgeton, Mo. The site consists of several inactive landfills, including the West Lake Landfill and the Bridgeton Landfill. Originally used for agriculture, the land became a limestone quarrying and crushing operation in 1939. Beginning in the early 1950s, portions of the quarried areas and adjacent areas were used to dispose of municipal refuse, industrial solid wastes, and construction/demolition debris. In 1973, around 8,700 tons of leached barium sulfate from the Manhattan Project, a World War II nuclear bomb development program, was mixed with approximately 38,000 tons of soil and used to cover trash being dumped during daily operations. In 1990, the U.S. Environmental Protection Agency listed the site on the National Priorities List under the Comprehensive Environmental, Response, Compensation and Liability Act of 1980 (Superfund law). The Agency listed the entire 200-acre facility and has since designated multiple Operable Units at the site to manage various areas and environmental media. Operable Unit 1 (OU-1) contains radiologically-impacted material (RIM). Operable Unit 2 (OU-2) does not contain radiological material. Operable Unit 3 (OU-3) will address site-wide groundwater. The adjacent Bridgeton Landfill, which is a part of OU-2, is part of the Superfund Site, but remains under the regulatory authority and oversight of the Missouri Department of Natural Resources. ([EPA](#), Accessed 01/24/18)

West Lake on EPA list of Superfund sites targeted for 'immediate' action. “The West Lake Landfill in Bridgeton, which contains nuclear waste from the World War II effort to build the atomic bomb, is one of 21 toxic-waste sites President Donald Trump’s administration has now targeted for ‘immediate, intense action.’ The Environmental Protection Agency released the list late Friday, a day after EPA Administrator Scott Pruitt told a House of Representatives subcommittee that he would announce a recommendation on a cleanup plan at West Lake sometime in January. It’s part of what Pruitt described as an effort to spur action on “Superfund” toxic waste sites that have languished on the list for many years. West Lake has been on the list since 1990. ‘In developing this initial list, EPA considered sites that can benefit from Administrator Pruitt’s direct engagement and have identifiable actions to protect human health and the environment,’ the EPA said in announcing the new list. ‘These are sites requiring timely resolution of specific issues to expedite cleanup and redevelopment efforts. The list is designed to spur action at sites where opportunities exist to act quickly and comprehensively. The administrator will receive regular updates on each of these sites.’ Neighbors have long complained that the site is causing health problems in people who live nearby.” ([The St. Louis Post Dispatch](#), 12/08/17)

Pruitt set to make decision in the coming days regarding the West Lake Superfund Site. “In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests. Yet Pruitt’s attention is shifting the conversation in some beleaguered communities. Residents say they don’t care what his motivations are — if those bring the results they’ve long sought. ‘Scott Pruitt is probably the most important person right now in the lives of the people in this community,’ said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis. The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days. There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner. ‘Depending on the decision [Pruitt] makes,’ Chapman said, ‘he will probably forever

remain the hero or the villain in the eyes of this community.” ([The Washington Post](#), 01/23/18)

Due to West Lake, parents drive their children as far away as possible from the community so their children can play. “‘Actions speak louder than words,’ said BrieAnn McCormick, whose neighborhood is closest to West Lake. Families here have long lived with the reality of the site, which got its Superfund designation in 1990. The 200 acres include not just the radioactive waste that was illegally dumped in 1973, but also an adjacent landfill where decomposing trash as deep as 150 feet is smoldering in what scientists call a “subsurface burning event.” The fire is now about 600 feet from that other waste. West Lake has made Bridgeton the kind of place where some parents drive their children to playgrounds far from the landfill. Where some people keep homemade kits in their cars — face masks for days the stench hits, eyedrops for irritation, Tylenol for headaches. Where others trade stories of cancers, autoimmune diseases and miscarriages they’re scared could be related to the Superfund site, although air, water and soil tests from the EPA and other government agencies have shown no link.” ([The Washington Post](#), 06/18/17)

The previous administration moved at glacial pace to address West Lake. “Activists fault the EPA for moving at a glacial pace. They accuse Republic Services, which took ownership of the landfill in 2008, of trying to avoid full-fledged cleanup. Similar dynamics are playing out at many Superfund sites, where abandoned mines, contaminated rivers and manufacturing plants have left behind a daunting trail of lead, arsenic, mercury and other harmful substances. Some “mega sites” involve tracing hundreds of chemicals and scores of polluters.” ([The Washington Post](#), 06/18/17)

Pruitt is working on the redevelopment of Superfund sites in East Chicago, an area of land near the Seattle Seahawks and other places across the country. “Thirty-one of the country’s most contaminated sites are likely to be available for building new housing, business or other development soon after they are cleaned up, the U.S. Environmental Protection Agency said today, a step that’s part of Administrator Scott Pruitt’s push to accelerate the cleanup and make the land available for community use... Another example on the list is a Superfund site on the coast of Lake Washington and close to the practice facility for the Seattle Seahawks. It was contaminated by coal tar and creosote from manufacturing until 1969 and a cleanup plan is expected to be finalized in 2019. The owner of the land wants to redevelop it for 10 buildings with retail and residential units, according to an EPA fact sheet.” ([ABC News](#), 01/17/18)

After Harvey, EPA Administrator vows bold response to polluted sites around Houston. “Environmental Protection Agency Administrator Scott Pruitt, who has visited Texas twice since Hurricane Harvey, vowed Thursday to have ‘an answer’ by next month for a permanent solution to clean up the San Jacinto River Waste Pits. ‘What was concerning about that site in advance of the storm, and is a concern today, frankly, and that is that the response, the capping that’s taken place, this agency’s had to work through remediation efforts every year since 2011,” he said in a Chronicle interview.” ([The Houston Chronicle](#), 09/22/17)

EPA approves plan to stabilize San Jacinto waste pits. “The Environmental Protection Agency has approved a plan to stabilize the riverbed near the San Jacinto River Waste Pits Superfund site to address the hazards of a 20,000-square-foot area where Hurricane Harvey gouged a pit about 12 feet deep.” ([The Houston Chronicle](#), 10/20/17)

Waste Management secretly funded ‘grassroots’ opposition to toxic dump removal That Pruitt championed. “Court records obtained by FOX 26 reveal so called independent citizen groups opposing removal of the Dioxin were secretly receiving resources from Waste Management and its subsidiary McGinnes Industrial Management Corporation. That’s important, because the \$100 million cost of the cleanup ordered by the EPA will come straight out of the company’s pocket. “It’s important for the public to know this connection. For years we’ve wondered who’s really behind these groups. It was clear that they had big money behind them, but there was no transparency with these groups,” said Jackie Young of the Texas Health and Environment Alliance.” ([Fox 26 Houston](#), 01/18/18)

REFORMING OBAMA'S AGENDA ...

EPA's Scott Pruitt touring states to push reversal of Obama water rule. “Environmental Protection Agency Administrator Scott Pruitt visited South Carolina Monday as part of a multistate tour to promote his effort to redo the Obama administration's contentious Waters of the U.S. rule. ‘The Trump administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship,’ Pruitt said. ‘By beginning the process to redefine WOTUS, we are providing regulatory certainty for South Carolinians while working together with the state to keep our waters clean.’ The rule expanded the EPA's jurisdiction over waterways to include ditches and watering holes, making a wider range of stakeholders, from farmers to natural gas drillers, subject to the agency's authority. Pruitt initiated the WOTUS review earlier this month. Halting the regulation was part of an executive order that President Trump signed soon after taking office in January.” ([The Washington Examiner](#), 07/24/17)

EPA moves to repeal Obama's Clean Power Plan coal regs. “EPA Administrator Scott Pruitt announced Monday that the Trump administration is moving to scrap the Clean Power Plan, the Obama administration's signature regulatory program to curb emissions from coal-fired power plants. Pruitt made the announcement at an event in Hazard, Ky., casting the previous policy as unfair. ‘That rule really was about picking winners and losers,’ Pruitt said. ‘The past administration was unapologetic, they were using every bit of power, authority to use the EPA to pick winners and losers on how we pick electricity in this country. That is wrong.’” ([Fox News](#), 10/09/17)

WAR ON LEAD ...

EPA's Scott Pruitt declares 'war on lead,' three years after Flint water crisis began. “EPA Administrator Scott Pruitt has begun an effort to ‘eradicate’ lead poisoning from drinking water, more than three years after the crisis in Flint, Michigan, started. Pruitt hosted a meeting Jan. 8 for state and local officials at agency headquarters in Washington to obtain feedback on ways to update the 1991 Lead and Copper Rule, a federal mandate that dictates how communities test for lead in drinking water. It has not been revised in more than a decade.” ([The Washington Examiner](#), 01/23/18)

EPA moves toward updating lead water pipe standards. “The Trump administration is moving forward on potentially updating the 26-year-old standards meant to keep lead out of drinking water. Environmental Protection Agency (EPA) head Scott Pruitt reached out to groups representing states and municipalities in a Thursday letter, inviting them to meet next month about potential revisions the agency is considering to what's known as the Lead and Copper Rule.” ([The Hill](#), 12/14/17)

PEBBLE MINE ...

Citing risks to fisheries, EPA retains proposed development limits on Pebble mine. “In a surprise move that buoyed hopes of groups trying to stop the Pebble gold and copper prospect in western Alaska, EPA administrator Scott Pruitt said Friday the agency would keep alive its proposed restrictions on the mine because of the threat it could pose to fisheries in the Bristol Bay region. Pruitt said in a statement Friday that he made the decision after reviewing public comments about the development limits, proposed by the EPA under Obama in 2014. ‘Based on that review, it is my judgment at this time that any mining projects in the region likely pose a risk to the abundant natural resources that exist there,’ he said. ‘Until we know the full extent of that risk, those natural resources and world-class fisheries deserve the utmost protection.’” ([Alaska Daily News](#), 01/26/18)

EPA Chief Reverses Course On Pebble Mine in Alaska. The U.S. Environmental Protection Agency is maintaining restrictions on the Pebble Mine in southwest Alaska, an unexpected reversal of what had been

strong Trump administration support for one of the world's biggest mining projects. The administration had taken steps last summer to withdraw restrictions —advanced by Mr. Trump's Democratic predecessor—on development of the site. Friday's decision suspends that withdrawal, putting in limbo a permitting process that developers had been hoping would get fast-tracked under a GOP administration that has emphasized the need to help mining, drilling and manufacturing operations. The EPA has decided, for now, to agree with a decision by former President Barack Obama's administration that a major wild salmon spawning area—and the Native Alaskan communities that depend on them—merit special protection from the development. 'Any mining projects in the region likely pose a risk to the abundant natural resources that exist there,' EPA Administrator Scott Pruitt said in a statement. 'Until we know the full extent of that risk, those natural resources and world-class fisheries deserve the utmost protection.' ... A 2014 EPA report said the Pebble mine could have significant adverse effects on the region's fisheries and the Native Alaskan communities that depend on them. Bristol Bay has the largest sockeye salmon fishery on globe, producing about half of the world's wild supply in 2014." ([The Wall Street Journal](#), 01/26/18)

RFS ...

Challenges remain for Iowa renewable fuels advocates. "The EPA largely held steady the amount of renewable fuels to be blended into the nation's fuel supply at 19.3 billion gallons for 2018. It was the decision to keep the required amount of biodiesel production at 2.1 billion gallons that disappointed industry officials. Pruitt said the agency kept that number flat because the industry has never in one year produced the 2.5 billion gallons it sought for the requirement, and because the U.S. in 2016 imported 700 million gallons of biodiesel fuel from Argentina. If the industry produces more, the biodiesel target could increase in future years, Pruitt said. He said he plans to watch production levels closely this year. 'Hopefully they can produce and that will impact the numbers going forward. But we haven't done it yet, and we imported 700 million gallons last year from Argentina,' Pruitt said. 'We shouldn't be setting a number, in my view, that we have to rely upon people in Argentina to meet.'" ([The Cedar Rapids Gazette](#), 12/03/17)

REFORMING EPA ...

Pruitt moves to shake up EPA advisory boards by removing conflict of interest. "Scientists who receive grants from the Environmental Protection Agency will no longer be allowed to simultaneously serve on the agency's nearly two dozen advisory boards, an unprecedented directive EPA Administrator Scott Pruitt said would increase the scientific integrity behind its rule-making. 'Whatever science that we are involved in here at the EPA shouldn't be political science,' Pruitt told a group of reporters Tuesday. 'We want to ensure that the American people have confidence ... in the process and that the advisers that we have in each of these respective capacities are providing independent, arms-length input to us as we make decisions.'" ([USA Today](#), 10/31/17)

Administrator Pruitt Issues Directive to End EPA "Sue & Settle." "In fulfilling his promise to end the practice of regulation through litigation that has harmed the American public, EPA Administrator Scott Pruitt issued an Agency-wide directive today designed to end "sue and settle" practices within the Agency, providing an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements. 'The days of regulation through litigation are over,' said EPA Administrator Scott Pruitt. 'We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress. Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle.'" ([EPA Press Release](#), 10/16/17)

From: Wilcox, Jahan

Sent: Wednesday, January 31, 2018 10:20 AM

To: Hewitt, James <hewitt.james@epa.gov>; Rivera, Anthony <Anthony.Rivera@siriusxm.com>

Subject: RE: Pruitt in NYC next week--interested in interview?

BACKGROUND BRIEF ON SCOTT PRUITT & THE EPA

WHO IS SCOTT PRUITT ...

Scott Pruitt: Politics, baseball and Jesus. “Politics, baseball and Jesus. That’s what Scott Pruitt and his friend and campaign manager Matt Pinnell talked about as they crisscrossed Oklahoma in 2006 trying to get Pruitt elected lieutenant governor. Politics, baseball and Jesus. With his energy and persistence, they have carried Pruitt to victory and nursed him through defeat. And they have him on the verge of running the agency many view as the embodiment of government regulation run amok, the Environmental Protection Agency.” ([Tulsa World](#), 01/16/17)

Scott Pruitt, outspoken and forceful, moves to the center of power within the Trump administration.

“Less than four months ago, Scott Pruitt arrived in Washington with few connections to President Trump’s inner circle and took the helm of an agency where many employees were openly hostile to him. But the administrator of the Environmental Protection Agency has emerged as one of the most influential policy architects in the president’s Cabinet, a skilled and sometimes brash lawyer who is methodically taking apart a slew of regulations and agreements affecting a range of issues, from manufacturing operations to landfills.” ([The Washington Post](#), 06/02/17)

Scott Pruitt’s Back-to-Basics Agenda for the EPA. “Republican presidents tend to nominate one of two types of administrator to lead the Environmental Protection Agency. The first is the centrist—think Christie Todd Whitman (2001-03)—who might be equally at home in a Democratic administration. The other is the fierce conservative—think Anne Gorsuch (1981-83)—who views the agency in a hostile light. Scott Pruitt, whom the Senate confirmed Friday, 52-46, doesn’t fit either mold. His focus is neither expanding nor reducing regulation. ‘There is no reason why EPA’s role should ebb or flow based on a particular administration, or a particular administrator,’ he says. ‘Agencies exist to administer the law. Congress passes statutes, and those statutes are very clear on the job EPA has to do. We’re going to do that job.’ You might call him an EPA originalist.” ([The Wall Street Journal](#), 02/17/17)

PRUITT REGARDING CLEAN POWER PLAN ...

EPA moves to repeal Obama’s Clean Power Plan coal regs. “EPA Administrator Scott Pruitt announced Monday that the Trump administration is moving to scrap the Clean Power Plan, the Obama administration’s signature regulatory program to curb emissions from coal-fired power plants. Pruitt made the announcement at an event in Hazard, Ky., casting the previous policy as unfair. “That rule really was about picking winners and losers,” Pruitt said. “The past administration was unapologetic, they were using every bit of power, authority to use the EPA to pick winners and losers on how we pick electricity in this country. That is wrong.” ([Fox News](#), 10/09/17)

EPA’s Pruitt moves to repeal Obama-era Clean Power Plan. “EPA Administrator Scott Pruitt on Tuesday formally proposed repealing the Obama administration’s “Clean Power Plan,” in a move to ease regulations on coal-fired power plants. The EPA said the move to repeal would facilitate new developments of U.S. energy resources and reduce unnecessary rules that have curbed their development. “The president made a promise to the American people that the EPA would not be an agency that picks winners and losers as we generate electricity in this country,” Pruitt told Fox News’ “Special Report with Bret Baier” Tuesday night. “The [Obama] administration made a commitment to declare a war on coal. And effective yesterday and today, that war is over.” The EPA said in a statement that the agency wants to declare that the Clean Power Plan exceeded the government’s authority.” ([Fox News](#), 10/10/17)

Pruitt's Clean Power Break. “The Trump Administration is giving the economy a boost with its deregulatory agenda, and the latest example comes Tuesday when Environmental Protection Agency chief Scott Pruitt will propose to repeal the Obama Administration’s Clean Power Plan. Ending this power grab will uphold the letter of the law and restore cooperative federalism with the states.” ([The Wall Street Journal](#), 10/08/17)

BACK-TO-BASICS AGENDA ...

Press Release

April 20, 2017

<https://www.epa.gov/home/back-basics-agenda>

Administrator Pruitt's "Back-to-Basics Agenda" reflects his efforts to refocus EPA on its intended mission, return power to the states and create an environment where jobs can grow. The agenda focuses on the three E's:

- Environment: Protecting the environment
- Economy: Sensible regulations that allow economic growth
- Engagement: Engaging with state and local partners.

Administrator Pruitt kicked off his “Back to Basics Agenda” on April 13 at the Harvey Mine in Sycamore, Pennsylvania. He spoke with coal miners about the president’s recent Energy Independence Executive Order, which directs EPA and other federal agencies to review the Clean Power Plan and revise regulatory barriers that impede energy independence, including unnecessary burdens on coal miners and coal-fired electric utilities. ([Reuters](#), 07/12/17)

CLIMATE CHANGE ...

REUTERS: The consensus has been overwhelming that climate change has been caused by human beings...

PRUITT: That’s not the question. It is not a question about whether the climate is warming. It is not a question about whether human activity contributes to it. It is a question about how much we contribute to it? How do we measure that with precision? And by the way, are we on an unsustainable path? And what harm...is it causing an existential threat? ([Reuters](#), 07/12/17)

PREVIOUS ADMINISTRATION’S SO-CALLED ACCOMPLISHMENTS (FLINT & GOLD KING MINE) ...

“The water crisis in Flint, which still affects thousands of that Michigan city’s residents, emerged in surprising ways at the hearing for EPA nominee and Oklahoma Attorney General Scott Pruitt. In his remarks opening the hearing, Senate Environment and Public Works Chairman John Barrasso (R-Wyo.) cited Flint as an example of what Pruitt would need to fix — and what the Obama administration had wrought. ‘The regulatory zeal of the last eight years has violated a fundamental principle of environmental stewardship, which is ‘do no harm,’” said Barrasso. “This failed environmental leadership has contributed to two of the worst government-created environmental disasters in decades: the Gold King Mine spill, and Flint, Michigan’s water crisis.’ There was a shift in the usual poker-faced expressions of Democrats when Barrasso said that. The Gold King Mine spill was the direct fault of the EPA, which botched the handling of a wastewater study. But the Flint crisis, and the presence of lead in water that poisoned residents for a year, was created by a confluence of factors. In a 2016 report, the EPA took blame for not alerting the public about the problem with lead in the water, but said that it had done so out of a preponderance of caution.” ([The Washington Post](#), 01/18/17)

Pruitt’s EPA awarded \$100 million to upgrade drinking water in Flint, Michigan. “The U.S. Environmental Protection Agency (EPA) today awarded a \$100 million grant to the Michigan Department of Environmental Quality to fund drinking water infrastructure upgrades in Flint, Mich.” ([Press Release](#), 03/17/17)

Pruitt’s EPA committed additional funds surround the Gold King Mine release, bringing the total to \$29 million. “The U.S. Environmental Protection Agency (EPA) has provided over \$90,000 in additional

reimbursements to five entities in Colorado and Utah for their costs incurred responding to the August 5, 2015, Gold King Mine release.” ([Press Release](#), 03/16/17)

WORKING WITH STATE & LOCAL LEADERS ...

In his first week, Pruitt met with 18 Governors. “In his first week on the job as EPA Administrator, Scott Pruitt has now met with 18 Governors and Lieutenant Governors, putting into action his promise of an open door policy and a new beginning of partnership with the states.” ([Press Release](#), 02/26/17)

EPA Administrator Pruitt met with the U.S. Conference of Mayors. “U.S. EPA Administrator Scott Pruitt will deliver remarks to the U.S. Conference of Mayors’ Leadership Meeting tomorrow to discuss agency priorities under the Trump Administration.” ([Press Release](#), 03/01/17)

Administrator Scott Pruitt sent letters to state governors advising them that they are under no obligation to adhere to the Clean Power Plan rule. “The days of coercive federalism are over,” the letter reads. “Accordingly, I look forward to working with you, your state experts and local communities as we develop a path forward to improve our environment and bolster the economy in a manner that is respectful of and consistent with the rule of law.” ([Press Release](#), 03/30/17)

WORKING WITH PRESIDENT TRUMP ON ROLLING BACK OBAMA’S AGENDA ...

An executive order was issued to rescind WOTUS. “President Trump and EPA Administrator Scott Pruitt issued an executive order to rescind or revise the 2015 Clean Water Rule: Definition of ‘Waters of the United States.’” ([Press Release](#), 02/28/17)

An executive order was issued to rescind the so-called Clean Power Plan. “Today, at the Environmental Protection Agency surrounded by American energy workers, public employees and members of Congress, President Donald Trump signed the Energy Independence Executive Order to protect thousands of jobs and strengthen energy security, while also ensuring that our policies provide clean air and clean water for all of our citizens.” ([Press Release](#), 03/28/17)

EXAMINING COSTLY REGULATIONS ...

EPA to reexamine emission standards for cars and light duty trucks. “‘These standards are costly for automakers and the American people,’ said EPA Administrator Scott Pruitt. ‘We will work with our partners at DOT to take a fresh look to determine if this approach is realistic. This thorough review will help ensure that this national program is good for consumers and good for the environment.’” ([Press Release](#), 03/15/17)

EPA Administrator seeks additional time to review RMP Rule. “Administrator Scott Pruitt signed a proposed rule this week to further delay the effective date of EPA’s Risk Management Program (RMP) Amendments to allow EPA time to complete the process for reconsidering the RMP Amendments issued on January 17, 2017.” ([Press Release](#), 03/31/17)

EPA extended the comment period on the Hard Rock Mining proposed rule that could cost businesses \$171 million annually. “The Environmental Protection Agency today issued a 120-day extension of the comment period related to proposed financial responsibility requirements for the hard rock mining industry. The Agency has received dozens of requests to extend the comment period. EPA estimates predict the implementation of these requirements would cost American businesses up to \$171 million a year.” ([Press Release](#), 02/24/17)

CLEANING UP THE ENVIRONMENT ...

The EPA kicks-off cleanup at the West Oakland Superfund site. “[The EPA] joined local leaders and community members in Oakland to celebrate the installation and start-up of a new groundwater and soil treatment system at the AMCO Chemical Superfund Site.” ([Press Release](#), 03/18/17)

The EPA will resume cleanup at the East Chicago Superfund site. “The U.S. Environmental Protection Agency (EPA) is preparing to resume cleanup work in zones 2 and 3 of the USS Lead Superfund site in East Chicago in April. EPA has reached an agreement with several potentially responsible parties to fund part of this work valued at an estimated \$16 million -- in addition to the \$26 million already secured for work under a 2014 consent decree.” ([Press Release](#), 03/20/17)

EPA set to oversee second phase of \$43 million cleanup of Pompton Lake. “The second phase of Pompton Lake cleanup will begin this spring and the U.S. Environmental Protection Agency (EPA) is holding a public session to discuss that work.” ([Press Release](#), 03/28/17)

ALLOCATING FUNDS FOR VITAL PROJECTS ...

EPA awarded \$100 million to upgrade drinking water in Flint, Michigan. “The U.S. Environmental Protection Agency (EPA) today awarded a \$100 million grant to the Michigan Department of Environmental Quality to fund drinking water infrastructure upgrades in Flint, Mich.” ([Press Release](#), 03/17/17)

EPA committed additional funds surround the Gold King Mine release, bringing the total to \$29 million. “The U.S. Environmental Protection Agency (EPA) has provided over \$90,000 in additional reimbursements to five entities in Colorado and Utah for their costs incurred responding to the August 5, 2015, Gold King Mine release.” ([Press Release](#), 03/16/17)

EPA awards \$380,000 to Diné College for abandoned uranium mine study in Arizona. ([Press Release](#), 02/28/17)

EPA Awards \$1.09 million DERA Grant to Gees Bend Ferry in Alabama. Today, the U.S. Environmental Protection Agency (EPA) awarded a \$1.09 million Diesel Emissions Reduction Act (DERA) grant to the historic Gees Bend Ferry in Wilcox County, AL. ... The DERA award will provide partial funding to replace the current diesel-powered ferry with a 100% electric ferry. This will be the first zero-emission passenger/vehicle ferry of its type in the United States, and only the second of its kind in the world. ([Press Release](#), 02/24/17)

From: Robert Barowski [<mailto:RBarowski@WestwoodOne.com>]

Sent: Friday, February 2, 2018 2:45 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: Administrator Pruitt on Michael Savage today

Sadly we hit the air in 15 minutes and are on until 6, so I am unavailable. However, you can contact me first thing Monday morning at [Personal Phone / Ex. 6](#) and we can discuss anything you need.

Robert Barowski

Producer, Savage Nation | Westwood One

From: Bowman, Liz <Bowman.Liz@epa.gov>

Sent: Friday, February 2, 2018 1:34 PM

To: Robert Barowski; Ford, Hayley; Jim Verdi

Cc: [Personal Email / Ex. 6] Ferguson, Lincoln; Wilcox, Jahan

Subject: RE: Administrator Pruitt on Michael Savage today

Can we talk today? I am open from now until 4 p.m. Eastern.

From: Robert Barowski [mailto:RBarowski@WestwoodOne.com]

Sent: Friday, February 2, 2018 2:33 PM

To: Ford, Hayley <ford.hayley@epa.gov>; Jim Verdi <JVerdi@WestwoodOne.com>

Cc: [Personal Email / Ex. 6] Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: Administrator Pruitt on Michael Savage today

Great! Thank you very much. I look forward to ironing out the details and having Administrator Pruitt on.

Robert Barowski

Producer, Savage Nation | Westwood One

From: Ford, Hayley <ford.hayley@epa.gov>

Sent: Friday, February 2, 2018 1:32 PM

To: Robert Barowski; Jim Verdi

Cc: [Personal Email / Ex. 6] Ferguson, Lincoln; Wilcox, Jahan; Bowman, Liz

Subject: RE: Administrator Pruitt on Michael Savage today

I was able to move his prior meeting up and we can do a 4:30PM ET interview time next Thurs, Feb 8. Lincoln/Jahan/Liz, copied here, will be in touch regarding format/length/etc.

Thank you!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: [Personal Phone / Ex. 6]

From: Ford, Hayley

Sent: Friday, February 2, 2018 1:02 PM

To: 'Robert Barowski' <RBarowski@WestwoodOne.com>; Jim Verdi <JVerdi@WestwoodOne.com>

Cc: [Personal Email / Ex. 6] Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Administrator Pruitt on Michael Savage today

I'm determining if we can move his earlier meeting up so we can start at 4:30 and will let you know ASAP. We will either do 4:30 or 4:45 on Feb 8.

Lincoln or Jahan on this message will respond or reach out to you regarding your question about format of the radio interview.

Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: Personal Phone / Ex. 6

From: Robert Barowski [<mailto:RBarowski@WestwoodOne.com>]

Sent: Friday, February 2, 2018 11:13 AM

To: Ford, Hayley <ford.hayley@epa.gov>; Jim Verdi <JVerdi@WestwoodOne.com>

Cc: Personal Email / Ex. 6 Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Re: Administrator Pruitt on Michael Savage today

Good morning everyone,

Thursday, Feb. 8 works for us, however the 2:45 p.m. ET time doesn't, as we don't hit the air until 3. The 4:45 would work the best for us, however if possible, could we move the interview to 4:30? That way the Administrator and Dr. Savage could have a longer segment to discuss the issues they'd like to get to. If we're not able to move to 4:30, we can still make it work, I'm just trying to give you the more ideal time.

Robert Barowski

Producer, Savage Nation | Westwood One

From: Ford, Hayley <ford.hayley@epa.gov>

Sent: Thursday, February 1, 2018 12:43 PM

To: Jim Verdi

Cc: Robert Barowski; Personal Email / Ex. 6 Ferguson, Lincoln; Wilcox, Jahan

Subject: RE: Administrator Pruitt on Michael Savage today

Hi all,

It looks like you had spelt Lincoln's name wrong in the email – he is copied here, but it's Ferguson.lincoln@epa.gov (missing the L below) so we apologize but never knew you were trying to reach us and expecting us this week.

Michael and I just connected and discussed having Administrator Pruitt on next week instead (he said tomorrow wouldn't work and he is on a flight during the show today).

Would Thurs, Feb 8 at 2:45PM ET work? Alternatively, we could do 4:45 or 5PM ET that day.

Let us know if that works. Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cell: **Personal Phone / Ex. 6**

From: Jim Verdi [<mailto:JVerdi@WestwoodOne.com>]

Sent: Thursday, February 1, 2018 1:37 PM

To: Ford, Hayley <ford.hayley@epa.gov>

Cc: Robert Barowski <RBarowski@WestwoodOne.com>;

Personal Email / Ex. 6

Subject: Fw: Administrator Pruitt on Michael Savage today

Hi Hayley, this is what I sent yesterday.

Thank you!

From: Jim Verdi

Sent: Wednesday, January 31, 2018 9:52 AM

To: ferguson.lincon@epa.gov

Cc: jjverdi@live.com

Subject: Administrator Pruitt on Michael Savage today

Hello Mr. Ferguson, just checking in. You had offered to have Administrator Pruitt on the Savage Nation with Michael Savage today and was wondering if that offer still stands.

We generally do the bottom of the hour which would be 3:30 or 4:30 EST

Thanks for your consideration

Jim

Jim Verdi

Associate Producer

The Savage Nation

2002 Academy Ln. Dallas TX 75234

(c) **Personal Phone / Ex. 6**

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 1/29/2018 11:32:49 PM
To: Fenton, Amy [Amy.Fenton@FOXNEWS.COM]
Subject: RE: Hi Liz! Dana Perino Fox News Request

Hi Amy – Thanks for your help with the scheduling. We will meet the producer outside tomorrow on the WH lawn. Can you let me know who the producer will be and if he/she has a phone number I can call to connect with them?

I also want to make sure you have the following information – Thank you – Liz

EPA Accomplishments in 2017 Under Scott Pruitt:

- **Scott Pruitt Principles:** Administrator Pruitt led EPA by his three core principles: rule of law, process and cooperative federalism.
 - **Action:** EPA proposed repeal of Waters of U.S. Rule, where the Obama Administration was regulating ditches and puddles in farmer's back yards.
 - **Action:** EPA is repealing the Clean Power Plan, the previous administration's symbol of Obama's "War on Coal" that threatened 400,000 U.S. jobs
 - **Action:** Administrator Pruitt ended 'Sue and Settle' at EPA – or 'regulation through litigation' where activist groups pushed their agendas through backroom deals with the Agency
- **Regulatory Reform and Economic Growth: Tax Reform and Regulatory Relief are partners in the economic boom we are now seeing: EPA is – undoubtedly – the most action-oriented agency in regard to providing regulatory relief to American businesses.**
 - The U.S. lost roughly 286,000 manufacturing jobs over eight years under Obama. From December 2016 to December 2017, manufacturing jobs grew by about 196,000.
 - **Jay Timmons, CEO of National Association of Manufacturers:** Manufacturing is at an all-time high, adding \$2.5 Trillion to U.S. economy, because "We have a White House and a Congress who have freed manufacturers from some of the most overreaching and onerous regulations, allowing us to grow, invest and create jobs. And the best news is that many regulatory reforms and the Trump tax cuts are just taking effect, so we look forward to even stronger numbers moving forward. In fact, in our latest Manufacturers' Outlook Survey, 63 percent said business tax reform would encourage their companies to spend more on their facilities and equipment, and 58 percent said they would expand their businesses. In addition, 54 percent said they would hire more workers, and almost half planned to increase wages and benefits."
- **Cleaning Up Toxic Land Sites, via Superfund:** EPA is addressing the nation's most toxic lands to ensure they get cleaned up. These "superfund sites" are being addressed now with action and results:
 - Under the Obama administration, the number of the worst contaminated sites in Superfund increased by 82.
 - By the end of this year, EPA will be on track to clean up, in whole or part, 27 Superfund sites this year.
- **Meetings with Industry/Travel:** In one year, Administrator Pruitt visited nearly 30 states and met with 35 governors. He met with many other stakeholders who were largely ignored by the previous administration.

- **Addressing Conflicts in EPA's Science Boards:** EPA has increased the representation of EPA's science boards to include more geographic diversity, increasing past representation from 32 states to over 40. Administrator Pruitt issued a directive to ensure that those who serve on these boards are not also getting grant money from EPA.

EPA Look Ahead to 2018

- **True Environmentalism is Stewardship, not Prohibition:** Administrator Pruitt will draw attention to "True Environmentalism," where we harness our natural resources for good — a dramatic change from the overregulation and "do not touch" approach of the previous administration.
- **Administrator Pruitt will declare a "War on Lead":** He will spearhead an ambitious, multi-faceted approach to eradicate lead exposure and advance the goal of clean and safe drinking water in every community in America.
- **Polling tells us that our approach to prioritize environmental protection is consistent with what the American people want: tangible environmental results, like cleaning up toxic land sites, holding polluters accountable, and addressing lead in water lines.**
 - A new Pew Research survey found that 62 percent of those surveyed said that protecting the environment should be a top priority, while only 46 percent said climate change should be a top priority.
 - In addition, it found that the "share of Americans saying that protecting the environment should be a top policy priority has increased 18 percentage points since 2010 (from 44% to 62%), and seven points in the past year alone."

From: Fenton, Amy [mailto:Amy.Fenton@FOXNEWS.COM]
Sent: Monday, January 29, 2018 1:58 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

2:50pET! at 101

Amy Fenton

Ex. 6

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, January 29, 2018 1:56 PM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Got it, so 3:50 (checking) at 101 tomorrow, right?

From: Fenton, Amy [mailto:Amy.Fenton@FOXNEWS.COM]
Sent: Monday, January 29, 2018 12:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

That's our last one of the show and I know your timing was tight ...
101 Constitution NW (it's the roof of the Charlie Palmer building)

Amy Fenton

Ex. 6

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, January 29, 2018 12:31 PM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: RE: Hi Liz! Dana Perino Fox News Request

14:50? Where is she taping? We are good, but want to confirm location.

From: Fenton, Amy [<mailto:Amy.Fenton@FOXNEWS.COM>]
Sent: Monday, January 29, 2018 12:27 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Hi!!! Happy Monday!
Just checking we are still good for the 14:50 timeslot tomorrow!

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Wednesday, January 17, 2018 3:49 PM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: Re: Hi Liz! Dana Perino Fox News Request

Thanks Amy!

Sent from my iPhone

On Jan 17, 2018, at 10:09 AM, Fenton, Amy <Amy.Fenton@FOXNEWS.COM> wrote:

We just got word our studio is at 101 Constitution NW... so just straight down the road from the WH. I told my senior producer that we will make the end of the show work -- and WORST case scenario we can do the interview from the WH north lawn.

Amy Fenton

Ex. 6

From: Fenton, Amy
Sent: Monday, January 15, 2018 12:14 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

So it looks like Dana will no longer be in DC for the 31st. So let's say with the 30th and plan to do the interview at the end of the show. Is that okay?

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Monday, January 15, 2018 10:00 AM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: Re: Hi Liz! Dana Perino Fox News Request

Great, thank you

Sent from my iPhone

On Jan 15, 2018, at 8:56 AM, Fenton, Amy <Amy.Fenton@FOXNEWS.COM> wrote:

Okay – Let me get back to you today to confirm details.

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]

Sent: Monday, January 15, 2018 8:54 AM

To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>

Subject: Re: Hi Liz! Dana Perino Fox News Request

I think 2:40 would work...he will be at the White House for a meeting scheduled to end at 2:30, so if she's filming there it's fine ... or we would prefer to move the interview to the 31st, if possible

Sent from my iPhone

On Jan 15, 2018, at 7:50 AM, Fenton, Amy <Amy.Fenton@FOXNEWS.COM> wrote:

Hi!!

Let me get back to you on this – As for where she will be hosting – we don't know yet. It may be Fox Bureau – or we may have a set on the Capitol. I don't think that is decided yet.

And by last interview – like 2:40pET?

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]

Sent: Monday, January 15, 2018 7:47 AM

To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>

Subject: Re: Hi Liz! Dana Perino Fox News Request

Any chance we can move Pruitt to the 31st? If not, can he be the last interview on the 30th?

Any chance Dana will be filing from the White House? Or is she filming from Fox studios?

Sent from my iPhone

On Jan 5, 2018, at 5:00 PM, Fenton, Amy

<Amy.Fenton@FOXNEWS.COM> wrote:

Haha! So it looks like we should be good for the 30th if you want to let Alexa know. But we can touch base closer to see if it still is good to go!

And if there is ever anything you need from me— never hesitate to reach out!

Amy Fenton

Ex. 6

On Jan 5, 2018, at 15:05, Bowman, Liz
<Bowman.Liz@epa.gov> wrote:

Ha, you caught me when I was at my desk ;) – and frankly responding to a bunch of other incoming requests.

From: Fenton, Amy
[<mailto:Amy.Fenton@FOXNEWS.COM>]
Sent: Friday, January 5, 2018 2:37 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Cool. And I have not reached out to Alexa on this one yet – honestly I wasn't expecting for a yes so quickly! Let me chat with the team after the show to make sure the Tuesday does work on our end.

Thanks!

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Friday, January 5, 2018 2:34 PM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Okay sounds good; we will hold the 30th between 2 and 3 p.m. for now, and then we can narrow down the hit time closer to the date. Are you working through Alexa at the WH, or do you want me to loop her in?

From: Fenton, Amy
[<mailto:Amy.Fenton@FOXNEWS.COM>]
Sent: Friday, January 5, 2018 2:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Oh goodness – I hope not outside – they do the drawing soon.

And sure! Let me make sure that works on our end, but I don't see why not.

Thanks!

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Friday, January 5, 2018 2:30 PM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Got it, thank you! Sorry...

Yes, can we do the 30th? What time should I ask the scheduler to hold? Live, right (please don't say outside, ha).

From: Fenton, Amy
[<mailto:Amy.Fenton@FOXNEWS.COM>]
Sent: Friday, January 5, 2018 2:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Hi Liz —

No worries — we worked together on Bret Baier's show a while back. And Erin is still with Dana, she is her assistant. I book for the show. But honestly either of us is a great place to start.

And we will be in DC the 30th and 31st only. Would we be able to do one of those dates?

Amy Fenton

Ex. 6

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Friday, January 5, 2018 2:25 PM
To: Fenton, Amy <Amy.Fenton@FOXNEWS.COM>
Subject: RE: Hi Liz! Dana Perino Fox News Request

Hi Amy — I'm sorry, what show did you work on before (apologies, please refresh my memory). Is Erin not with Dana anymore, or is she her personal assistant and you do the show booking? Just want to keep everyone straight, so I don't email the wrong person.

The Administrator would love to be on Dana's show...he really likes to do in studio/in person, so if she is going to record from DC that week, can we plan on the administrator doing a live interview one of those days? Let me know what day would

be possible and I can have our scheduler put a hold on his calendar.

Thanks again – Liz

From: Fenton, Amy
[mailto:Amy.Fenton@FOXNEWS.COM]
Sent: Friday, January 5, 2018 2:15 PM
To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>
Subject: Hi Liz! Dana Perino Fox News Request

Hi Liz!

Some news since the last time we worked together – I now am Dana Perino's booker for her new 2pET show on Fox. I wanted to touch base to let you know of my change and to possibly be on your radar for an interview in the near future. Dana will be down in DC for State of the Union so it would be great if we could schedule something in person.

Let me know if you have any questions and I look forward to working with you again!

Happy New Year and hope you stay warm!

Amy Fenton
The Daily Briefing w/Dana Perino

Ex. 6

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 1/11/2018 4:55:03 PM
To: Myron Ebell [Myron.Ebell@cei.org]
Subject: RE: Cooler Heads Coalition: list of upcoming comment deadlines at EPA

Thank you

From: Myron Ebell [mailto:Myron.Ebell@cei.org]
Sent: Thursday, January 11, 2018 10:13 AM
To: Myron Ebell <Myron.Ebell@cei.org>
Subject: Cooler Heads Coalition: list of upcoming comment deadlines at EPA

Tate Bennett at EPA sent me the following list of upcoming comment deadlines with a link to the web page. She also sent me some talking points on EPA Administrator Scott Pruitt's top accomplishments last year, which I have also pasted below.

Note that the Cooler Heads Coalition's next monthly strategy meeting will be on Monday, 5th February, beginning at 12 noon at CEI, 1310 L Street, N. W., Seventh Floor.

Full Title	Comment Period Deadline
Proposed- Mercury; Reporting Requirements for Toxic Substances Control Act Mercury Inventory	01/11/2018
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ANPRM- State Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units	02/26/2018

<https://www.regulations.gov/searchResults?rpp=25&so=ASC&sb=commentDueDate&po=0&cp=O&a=EPA&dcl=PR>

EPA Administrator Scott Pruitt and EPA 2017 Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.
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millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas. <https://www.epa.gov/newsreleases/administrator-pruitt-issues-directive-end-epa-sue-settle>

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- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated in whole or substantial part 7 since March. In 2016, EPA eliminated only 1.
 - EPA is on track to close in whole or in part 27 more in 2018.
 - EPA is on track to issue clean up decisions (RODs) on 14 of over \$50 million in clean up this year.
- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

Myron Ebell
Director, Center for Energy and Environment
Competitive Enterprise Institute
1310 L Street, N. W., Seventh Floor
Washington, DC 20005, USA
Tel direct Ex. 6

Tel mobile: **Personal Phone / Ex. 6**

E-mail: Myron.Ebell@cei.org

Stop continental drift!

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 1/10/2018 8:12:43 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Myron Ebell [Myron.Ebell@cei.org]
CC: Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clint]; Harlow, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b5a9a34e31fc4fe6b2beadda2affa44-Harlow, Dav]; annie.dwyer@cei.org
Subject: RE: List of upcoming deadlines

Yes, thanks again for facilitating. I am sorry I wasn't able to make it on Tuesday, but I figured you got your fill of me on Monday ;)

From: Bennett, Tate
Sent: Wednesday, January 10, 2018 3:03 PM
To: Myron Ebell <Myron.Ebell@cei.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Harlow, David <harlow.david@epa.gov>; annie.dwyer@cei.org
Subject: List of upcoming deadlines

Hi Myron-

Thanks for inviting us to come visit the group earlier this week. Below is 1) a list of upcoming comment period deadlines that may be of interest and a link to where you can search for more online 2) a few bullets that may come in handy for STOU-style addresses that your groups might be working on and may wish to include 2017 EPA accomplishments.

Do you mind distributing to the group?

Let me know if we can provide additional information.

Tate

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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/3/2017 11:30:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]; Reavey, Richard P. (CPE) [Richard.Reavey@cldpk.com]
Subject: RE: For Review Please

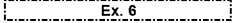
This looks good to me, thank you for sharing.

-----Original Message-----

From: Bennett, Tate
Sent: Thursday, August 3, 2017 7:24 PM
To: Reavey, Richard P. (CPE) <Richard.Reavey@cldpk.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: For Review Please

Hey! Thanks for the note. Thanks again for a great visit. Adding Liz in comms to get her thoughts!

Sent from my iPhone

> On Aug 3, 2017, at 2:51 PM, Reavey, Richard P. (CPE) <Richard.Reavey@cldpk.com> wrote:
>
> Tate,
>
> Are you okay if we do a release, attached and text below for review? Really appreciated the visit today. Great for morale. Have tried to send you pictures but they keep bouncing off the firewall as too big. Any solutions other than "make them smaller" ?
>
>
>
> August 3, 2017
>
> Contact: Cloud Peak Energy Inc.
> Rick Curtsinger
> Director, Public Affairs
>  Ex. 6
> DRAFT - CLOUD PEAK ENERGY HOSTS EPA ADMINISTRATOR PRUITT
>
> Gillette, Wyo. - Environmental Protection Agency (EPA) Administrator Scott Pruitt visited the Cloud Peak Energy office in Broomfield, CO discuss the EPA's priorities and steps taken during the first six months of the administration and to hear how the end of the Obama administration's war on coal has positively impacted coal jobs and outlook for the industry. Administrator Pruitt's remarks focused on his efforts to return the rule of law to the EPA, to bring 'a degree of humility' to governance, and to demonstrate that strong and effective environmental stewardship can be exercised without restricting economic growth or negating America's energy advantage. As the Administrator said, "Our country is so rich in resources and so strongly committed to clean air, clean water, and a great environment, that we don't have to make a choice. We can have energy-driven growth and strong environmental stewardship." Nothing more strongly symbolizes the changes that the Trump administration has instituted than the fact that the EPA Administrator came to talk to employees of one of the largest coal producers in the country.
>
> Administrator Pruitt also emphasized his commitment to restore the EPA's constructive engagement with all stakeholders and to reinstate the cooperative federalism with states that is imbedded in our nation's environmental laws. He said, "...Industry and states must be a partners in our efforts to ensure strong environmental stewardship and we must enforce the law rather than attempt to influence energy markets. This Agency will not be picking winners and losers."
>
> Cloud Peak Energy CEO Colin Marshall expressed his sincere thanks to Administrator Pruitt on behalf of the company's 1,300 employees for working with President Trump to end the war on coal. Marshall noted that it is a remarkable change from the previous administration to have the EPA Administrator visit a coal company and take the time to speak with our employees and answer their questions. He also shared with Administrator Pruitt his thoughts on how the coal industry can help the Administrator's vision of domestic energy resources driving responsible economic growth and international influence. He suggested that given the nation's energy abundance, "We should burn abundant, low-cost coal in modern High Efficiency Low Emissions (HELE) ultra-super critical coal plants in the U.S. to supply low-cost, reliable electricity to drive domestic economic growth. The U.S. should simultaneously develop carbon capture technology for future deployment to meaningfully reduce CO2 emissions when that technology becomes commercially

available. In turn, we should use domestic natural gas primarily for heating and to provide industrial/chemical feedstock to boost economic growth while exporting surplus natural gas and oil to improve the U.S. balance of trade and drive global energy dominance."

>
>
>
> About Cloud Peak Energy®

>
> Cloud Peak Energy Inc. (NYSE:CLD) is headquartered in Wyoming and is one of the largest U.S. coal producers and the only pure-play Powder River Basin coal company. As one of the safest coal producers in the nation, Cloud Peak Energy mines low sulfur, subbituminous coal and provides logistics supply services. The Company owns and operates three surface coal mines in the PRB, the lowest cost major coal producing region in the nation. The Antelope and Cordero Rojo mines are located in Wyoming and the Spring Creek Mine is located in Montana. In 2016, Cloud Peak Energy shipped approximately 59 million tons from its three mines to customers located throughout the U.S. and around the world. Cloud Peak Energy also owns rights to substantial undeveloped coal and complimentary surface assets in the Northern PRB, further building the Company's long-term position to serve Asian export and domestic customers. With approximately 1,300 total employees, the Company is widely recognized for its exemplary performance in its safety and environmental programs. Cloud Peak Energy is a sustainable fuel supplier for approximately three percent of the nation's electricity.

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>
> [cid:image006.jpg@01D30C67.D239E250]

>
> Pictured above: EPA Administrator Scott Pruitt visits with Cloud Peak Energy employees in the Broomfield, CO office.

>
>
>
>
> [cid:image007.jpg@01D30C67.D239E250]

>
> Pictured above: EPA Administrator Scott Pruitt visits with Cloud Peak Energy representatives in the Broomfield, CO office. Clockwise: Administrator Pruitt; Bryan Pechersky, Executive Vice President, General Counsel and Corporate Secretary; Richard Reavey, Vice President Public Affairs; Colin Marshall, President and CEO.

>
>
>
>
> END

>
> Also, your colleague whose card I didn't get, not Sam but the other woman, mentioned that "Mike Nasi wasn't a great guy to raise. He said Pruitt shouldn't get the job." I think she must be mistaken and have confused him with somebody else and just wanted to clear the record. He seems to have been an early and enthusiastic supporter: <http://www.washingtontimes.com/news/2017/jan/18/scott-pruitt-is-right-for-the-epa/>

>
>
> Richard P. Reavey
> Vice President Public Affairs
> Cloud Peak Energy Resources LLC
> 385 Interlocken Crescent, Suite 400 | Broomfield | CO 80021
> Tel: [Ex. 6] Mob: [Personal Phone / Ex. 6] | richard.reavey@cldpk.com<mailto:richard.reavey@cldpk.com>
> [Description: cid:image001.jpg@01CFC045.213B3B00]
> www.cloudpeakenergy.com<<http://www.cloudpeakenergy.com>>

>
> CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe this email has been sent to you in error, please reply to sender that you received message in error; then please delete. Thank you.

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>
> <image001.jpg>
> <image006.jpg>
> <image007.jpg>
> <Final Pruitt CPE (004).docx>

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/11/2017 12:01:56 AM
To: Lisa Friedman [lisa.friedman@nytimes.com]
Subject: RE: New York Times: E.P.A. Announces Repeal of Major Obama-Era Carbon Emissions Rule

Ha, thanks. I will call you tomorrow.

From: Lisa Friedman [mailto:lisa.friedman@nytimes.com]
Sent: Tuesday, October 10, 2017 7:40 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: New York Times: E.P.A. Announces Repeal of Major Obama-Era Carbon Emissions Rule

Hey! I was just going to email you. [Personal Phone / Ex. 6]
Let's talk sooner rather than later, yeah? I'm on my cell [Personal Phone / Ex. 6] but I know you've had a long week already so if you want to chat tomorrow instead that's fine.

Best,
Lisa

Lisa Friedman
Reporter, The New York Times
[Ex. 6] office

[Personal Phone / Ex. 6] cell
Lisa.Friedman@nytimes.com
Twitter: @LFFriedman

On Oct 10, 2017, at 7:30 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Lisa – By most accounts, this is a pretty balanced piece.

New York Times

<https://www.nytimes.com/2017/10/09/climate/clean-power-plan.html>

E.P.A. Announces Repeal of Major Obama-Era Carbon Emissions Rule

By Lisa Friedman and Brad Plumer, 10/9/17

WASHINGTON — The Trump administration announced on Monday that it would take formal steps to repeal President Barack Obama's signature policy to curb greenhouse gas emissions from power plants, setting up a bitter fight over the future of America's efforts to tackle global warming.

At an event in eastern Kentucky, Scott Pruitt, the head of the Environmental Protection Agency, said that his predecessors had departed from regulatory norms in crafting the Clean Power Plan, which was finalized in 2015 and would have pushed states to move away from coal in favor of sources of electricity that produce fewer carbon emissions.

"The war on coal is over," Mr. Pruitt said. "Tomorrow in Washington, D.C., I will be signing a proposed rule to roll back the Clean Power Plan. No better place to make that announcement than Hazard, Ky."

The repeal proposal, which will be filed in the Federal Register on Tuesday, fulfills a promise President Trump made to eradicate his predecessor's environmental legacy. Eliminating the Clean Power Plan makes it less likely that the United States can fulfill its promise as part of the Paris climate agreement to ratchet down emissions that are warming the planet and contributing to heat waves and sea-level rise. Mr. Trump has vowed to abandon that international accord.

It also is a personal triumph for Mr. Pruitt, who as Oklahoma attorney general helped lead more than two dozen states in challenging the rule in the courts. In announcing the repeal, Mr. Pruitt made many of the same arguments that he had made for years to Congress and in lawsuits: that the Obama administration exceeded its legal authority in an effort to limit greenhouse gas emissions from power plants. (Last year, the Supreme Court blocked the rule from taking effect while courts assessed those lawsuits.) A leaked draft of the repeal proposal asserts that the country would save \$33 billion by not complying with the regulation and rejects the health benefits the Obama administration had calculated from the original rule.

Coal- and natural-gas-fired power plants are responsible for about one-third of America's carbon dioxide emissions. When the Clean Power Plan was unveiled in 2015, it was expected to cut power sector emissions 32 percent by 2030, relative to 2005. While many states are already shifting away from coal power for economic reasons, experts say scrapping the rule could slow that transition.

Environmental groups and several states plan to challenge the repeal proposal in federal courts, arguing against Mr. Pruitt's move on both scientific and economic grounds.

Industry groups cheered the announcement, but have also indicated that they would prefer that Mr. Pruitt replace the Clean Power Plan with a new, more modest regulation on power plants in order to blunt any court challenges. The E.P.A. is still required to regulate greenhouse-gas emissions because of a 2009 legal opinion known as the endangerment finding.

"We have always believed that there is a better way to approach greenhouse gas emissions reductions," Karen A. Harbert, the president of the Chamber of Commerce's Global Energy Institute, said in a statement. "We welcome the opportunity for business to be at the table with the E.P.A. and other stakeholders to develop an approach that lowers emissions, preserves America's energy advantage and respects the bounds of the Clean Air Act."

How would targets be changed?

In order to regulate pollution from existing power plants, the E.P.A. has to set goals for each state based on what is technically feasible and cost-effective. Under the Clean Power Plan, the Obama administration set targets by assuming utilities could improve the efficiency of their coal plants, shift from coal to cleaner natural gas and add more renewable energy to their grids.

But Mr. Obama's approach was controversial, because the E.P.A. assumed utilities could reduce emissions at individual plants by taking actions outside of those plants — say, by replacing coal plants with wind farms elsewhere. Industry groups and more than two dozen states challenged this move in court, arguing that the E.P.A. can look only at cleanup measures that can be undertaken at the plants themselves.

Mr. Pruitt is proposing to repeal the Clean Power Plan on this basis. He also argued that the Obama administration overstated the benefits of its rule by factoring in the gains from curbing global warming in other countries as well as from reducing harmful air pollutants other than carbon dioxide.

If Mr. Pruitt does end up pursuing a replacement rule, it would almost certainly be confined to inside-the-fence-line measures, like upgrading coal-plant boilers. Previous E.P.A. analyses found that such upgrades would lead to a roughly 4 percent increase in efficiency at coal plants.

What is the impact on emissions?

While the repeal of the Clean Power Plan offers a reprieve for America's coal industry, it is unlikely to halt the decline of coal altogether. Even in the absence of the rule, many utilities across the country have opted to shift to natural gas, wind and solar, driven by cost concerns and state-level policies. Many states, like California and New York, are already moving ahead of the targets set by the Clean Power Plan as they develop their own climate policies.

Gov. John Hickenlooper of Colorado, a Democrat, noted that his state planned to exceed the goals that had been set under the Clean Power Plan because the state was closing coal plants early and developing jobs in wind and other renewables.

"We have dramatically cleaner air and we are saving money. My question to the E.P.A. would be, 'Which part of that don't you like?'" Mr. Hickenlooper said.

A new analysis by the research firm Rhodium Group estimated that United States electricity emissions are currently on track to fall 27 to 35 percent below 2005 levels by 2030, roughly in the range of what the Clean Power Plan originally envisioned, even if the regulation is repealed.

But John Larsen, the author of the Rhodium Group analysis, estimated that if Mr. Obama's policies had remained in place, as many as 21 states would have had to make deeper reductions than they are currently expected to do without the rule — including Texas, West Virginia, Georgia, Pennsylvania and Wisconsin — and emissions most likely would have fallen further than the 32 percent originally envisioned.

"So for certain states," Mr. Larsen wrote, "today's announcement is a big deal."

Experts also note that the Clean Power Plan would have prevented a rebound in coal use in case natural gas unexpectedly became more expensive or various policies to promote renewable energy were blunted. The repeal comes on the heels of a proposal by the Department of Energy to subsidize coal and nuclear plants by revamping electricity markets.

Jody Freeman, director of the environmental law program at Harvard Law School, said the Energy Department proposal combined with the Clean Power Plan repeal signaled that the Trump administration was putting its thumb on the scale in favor of fossil fuels.

"You see a pretty powerful message. Disavow any effort to control greenhouse gases in the power sector, and instead, intervene in the market to promote coal. It's a wow," she said.

What happens next?

Mr. Pruitt's proposal for repeal will now have to go through a formal public-comment period before being finalized, a process that could take months. Mr. Pruitt will also ask the public for comment on what a replacement rule should look like, but the E.P.A. has not offered a timeline.

Environmental groups and Democratic-controlled states are expected to challenge these moves on multiple fronts.

The attorneys general of New York and Massachusetts said they intended to sue the E.P.A. once the repeal is finalized.

"Fuel-burning power plants are one of our nation's largest sources of climate change pollution, and common-sense science — and the law — dictate that E.P.A. take action to cut these emissions," Eric T. Schneiderman, New York's attorney general, said in a statement. "I will use every available legal tool to fight their dangerous agenda."

That raises the question of whether the Trump administration can craft and finalize a replacement rule by the 2020 election. Failure to do so, some industry groups worry, could allow a new administration to start over and impose a more stringent climate plan on power plants.

Partly for that reason, many states are already preparing for the prospect of tougher carbon regulations down the road.

Consider Arkansas, one of the states that challenged the Clean Power Plan in court. Ted J. Thomas, the chairman of the Arkansas Public Service Commission, says that his state is nonetheless in the process of shifting from coal to cheaper natural gas. The initial rule also persuaded the state to start exploring clean-energy options, like expanding wind power, promoting the use of smart meters and developing a working group to look at carbon capture technology for coal plants.

"Even if they repeal the Clean Power Plan, or replace it with something that doesn't require us to do very much, you still have to reckon with the fact that ultimately regulations on carbon are coming," Mr. Thomas said. "So we need to develop options to deal with that other than sticking our heads in the sand and hoping we can just file lawsuits forever."

"You can either be prepared or unprepared," he added, "and that's a pretty simple choice."

Correction: October 9, 2017

An earlier version of this article misstated the findings of a Rhodium Group analysis. The report found that power sector emissions were projected to fall 27 to 35 percent below 2005 levels by 2030, not by 2025.

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 7:52:10 PM
To: Richard.Valdmanis@thomsonreuters.com
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: RE: Question from Reuters

Sure, please use this quote in full. Thank you, Richard.

“Administrator Pruitt was referring to mining, which includes coal. America’s miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to focus on this Administration's real work to bring back American jobs.” Citation:
<https://www.bls.gov/news.release/pdf/empsit.pdf>

From: Richard.Valdmanis@thomsonreuters.com [mailto:Richard.Valdmanis@thomsonreuters.com]
Sent: Monday, June 5, 2017 3:18 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Question from Reuters

Okay, fair enough, thanks Liz. But we need something on the record since these were pretty big interviews – NBC and Fox – and it is a big difference.

Can you provide, on record, a comment that “He was referring to mining”?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, June 05, 2017 3:03 PM
To: Valdmanis, Richard J. (Reuters News)
Cc: Graham, Amy; Wilcox, Jahan
Subject: FW: Question from Reuters

Hi Richard – Amy just got on a plane, so she asked me to respond to you. For background, Administrator Pruitt meant to say there were almost 50,000 **mining** jobs (which of course includes coal). Off the record, it was not a misrepresentation of the facts, you are correct that he was referring to mining, per the BLS. Thank you – Liz

From: <Richard.Valdmanis@thomsonreuters.com>
Date: June 5, 2017 at 2:27:44 PM EDT
To: <graham.amy@epa.gov>
Subject: FW: Question from Reuters

Amy, I work with Val.

I wanted to just make sure I understand what happened here. From what I can gather, Mr. Pruitt essentially misrepresented US mining jobs growth as coal sector jobs growth. Is that right? Looking at the BLS data, it seems clear to me that he was referring to mining jobs (which includes coal, ore, oil, gas, etc...) and not the just coal sector as he said in his interviews yesterday. It is a significant difference, and I'd like some clarity please.

Here's his quote: "Dead wrong. Because the numbers show exactly the opposite in fact since the fourth quarter of last year to most recently added almost 50,000 jobs in the coal sector. In the month of May alone, almost 7,000 jobs."

So, did Mr. Pruitt conflate the two things? Mispeak? Make an error?

From: Volcovici, Valerie (Reuters News)
Sent: Monday, June 05, 2017 12:02 PM
To: Valdmanis, Richard J. (Reuters News)
Subject: FW: Question from Reuters

From: Graham, Amy [<mailto:graham.amy@epa.gov>]
Sent: Monday, June 05, 2017 11:51 AM
To: Volcovici, Valerie (Reuters News)
Subject: RE: Question from Reuters

Valerie – America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs.

Additional background here: <https://www.bls.gov/news.release/pdf/empst.pdf>

Thank you,
Amy

Amy Graham
U.S. Environmental Protection Agency
Graham.amy@epa.gov
202-564-4464 (office)

Personal Phone / Ex. 6

 (cell)

From: valerie.volcovici@thomsonreuters.com [<mailto:valerie.volcovici@thomsonreuters.com>]
Sent: Monday, June 5, 2017 11:41 AM
To: Press <Press@epa.gov>; Freire, JP <Freire.JP@epa.gov>
Subject: Question from Reuters
Importance: High

Hi JP and press team,

I am hoping to get a comment from EPA about the numbers cited by Administrator Pruitt on coal jobs added since President Trump took office. Could you please let me know what the sourcing of the data is? And could you offer any comment to further clarify his remarks on Sunday talk shows?

I am on deadline for 2:00PM.

Many thanks in advance for your help,
Valerie

Valerie Volcovici
Correspondent
Reuters

Phone: +1 [REDACTED] **Ex. 6**
Mobile/Signal: [REDACTED] **Personal Phone / Ex. 6**

1333 H Street NW
Suite 600
Washington, DC 20005
Twitter: @ValerieVolco

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 4:46:17 PM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: RE: Pruitt claim on coal jobs

Thanks for understanding.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, June 5, 2017 12:35 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt claim on coal jobs

We aren't going to write about the airport thing. Thanks for providing comment.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, June 05, 2017 11:27 AM
To: Biesecker, Michael
Cc: Wilcox, Jahan
Subject: Re: Pruitt claim on coal jobs

Okay, we understand. Thank you.

Sent from my iPhone

On Jun 5, 2017, at 11:20 AM, Biesecker, Michael <MBiesecker@ap.org> wrote:

I don't think that is clear. You are being asked about one number and supplying another. We then have to specifically say that EPA refused to say whether Pruitt misspoke.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, June 05, 2017 10:46 AM
To: Biesecker, Michael
Cc: Wilcox, Jahan
Subject: Re: Pruitt claim on coal jobs

Please do not say that EPA said he misspoke. I think the quote explains that, it was for your own understanding of our response. While October is technically the Obama Administration, President Trump was elected in November on the promise of providing more regulatory certainty and an environment where jobs could grow. The more telling number is the 25 months of decline throughout the previous Administration.

Sent from my iPhone

On Jun 5, 2017, at 10:39 AM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Are you OK with me setting up the quote by stating that EPA said Pruitt misspoke, and intended to reference all mining jobs, not just coal?

Also, will have to point out that you all are going back into the Obama presidency to get close to 50,000.

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Monday, June 05, 2017 10:37 AM
To: Biesecker, Michael
Cc: Wilcox, Jahan
Subject: Re: Pruitt claim on coal jobs

You can use this quote:

"America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs."

from my iPhone

On Jun 5, 2017, at 10:26 AM, Biesecker, Michael <MBiesecker@ap.org> wrote:

I need on the record from one of you that he misspoke, intending to say "mining" rather than "coal." I can't write that using background guidance. Otherwise, I am still left with nothing to report to readers except that what he said was inaccurate.

From: Bowman, Liz [<mailto:Bowman.Liz@epa.gov>]
Sent: Monday, June 05, 2017 10:09 AM
To: Biesecker, Michael
Cc: Wilcox, Jahan
Subject: Re: Pruitt claim on coal jobs

Hi Michael- Administrator Pruitt was trying to underscore the fact that America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration.

For background, In his discussion with Chuck Todd, he meant to say "mining", instead of "coal" and he was using statistics from the June 2nd 2017 BLS jobs report. Page two of the release below explains, "Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gains in support activities for mining."

We will provide additional context to clarify this point moving forward, in addition to further information about this report, showing that "Since

January, the unemployment rate has declined by 0.5 percentage point, and the number of unemployed has decreased by 774,000.”

<https://www.bls.gov/news.release/pdf/empst.pdf>

Thank you,

Liz

Sent from my iPhone

On Jun 5, 2017, at 10:00 AM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Liz, Jahan,

I’ve been asked to fact check Pruitt’s claim on both NBC and Fox over the weekend that 50,000 coal jobs have been created since Trump took office. That does not match the official federal statistics from BLS.

Can you guys provide any documentation to back up the number he used? Did he misspeak?

Writing on this for the national wire by noon.

Thanks,

Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP

<image002.jpg>

1100 13 St. NW, Su
Washington, D.C. 2

T 2 **Ex. 6**
M Personal Phone / Ex. 6

today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 4:26:14 PM
To: Dabbs, Brian [bdabbs@bna.com]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
CC: Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: RE: Coal Job Statements

Do you mean, that he intended to say "mining," instead of "coal"?

From: Dabbs, Brian [mailto:bdabbs@bna.com]
Sent: Monday, June 5, 2017 12:08 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Coal Job Statements

Thanks. Are you issuing a clarification today or can I say he intended to say "coal" instead of broad "mining"?

Brian Dabbs

Reporter

Bloomberg BNA

Direct: Ex. 6

Mobile: Ex. 6

bdabbs@bna.com

On Jun 5, 2017, at 11:22 AM, Graham, Amy <graham.amy@epa.gov> wrote:

Hey Brian – Lincoln shared your email. I wanted to provide some background on the jobs information cited by Administrator Pruitt yesterday.

Administrator Pruitt was trying to underscore the fact that America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration.

In his discussion with Chuck Todd, he meant to say "mining", instead of "coal" and he was using statistics from the June 2nd 2017 BLS jobs report. Page two of the release below explains, "Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gains in support activities for mining."

We will provide additional context to clarify this point moving forward, in addition to further information about this report, showing that "Since January, the unemployment rate has declined by 0.5 percentage point, and the number of unemployed has decreased by 774,000."

<https://www.bls.gov/news.release/pdf/empsit.pdf>

If you need a comment on the record, you may attribute the following to me:

"America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in

October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs." – EPA spokesperson Amy Graham

Thank you,
Amy

From: Dabbs, Brian [mailto:bdabbs@bna.com]
Sent: Monday, June 5, 2017 10:59 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Coal Job Statements

Hey Lincoln,

Can you discuss the data Administrator Pruitt was referring to in saying the U.S. created 50k coal jobs in the last several months and 7k in May alone?

Also, any progress on a sit down interview?

Thanks much.

Brian Dabbs

Reporter

Bloomberg BNA

Direct: [REDACTED] Ex. 6

Mobile: [REDACTED] Personal Phone / Ex. 6

bdabbs@bna.com

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 12:19:49 PM
To: amy@axios.com
CC: Jahan Wilcox (wilcox.jahan@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Lincoln Ferguson (ferguson.lincoln@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: From EPA, Jobs Cited Information

Hi Amy – Per your Axios piece this morning, I want to provide additional background on the jobs information cited by Administrator Pruitt on Sunday. Administrator Pruitt was trying to underscore the fact that America’s miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration.

In his discussion with Chuck Todd, he meant to say “mining”, instead of “coal” and he was using statistics from the June 2nd 2017 BLS jobs report. Page two of the release below explains, “Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gains in support activities for mining.”

We will provide additional context to clarify this point moving forward, in addition to further information about this report, showing that “Since January, the unemployment rate has declined by 0.5 percentage point, and the number of unemployed has decreased by 774,000.”

<https://www.bls.gov/news.release/pdf/empst.pdf>

Thank you,

Liz

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 10:18:08 AM
To: Grandoni, Dino [Dino.Grandoni@washpost.com]
CC: Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
Subject: Re: Question from Washington Post about 50,000 coal job claim

Hi Dino,

For background (not for attribution), he mean to say "mining" and the number is from BLS.

Administrator Pruitt was referring to mining jobs, which includes coal, and estimating about 50,000 from the statistic below on the June 2, 2017 jobs report, which explains that employment in mining has risen 47,000 jobs since last October. Thanks – Liz

"Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gain in support activities for mining."

<https://www.bls.gov/news.release/pdf/empst.pdf>

Sent from my iPhone

On Jun 5, 2017, at 12:07 AM, Grandoni, Dino <Dino.Grandoni@washpost.com> wrote:

Hi all,

Hope you're well. This is Dino Grandoni with The Washington Post. I had a question about a comment Administrator Pruitt made on Meet the Press on Sunday.

He said: "Since the fourth quarter of last year to most recently, [the United States] added almost 50,000 jobs in the coal sector. In the month of May alone, almost 7,000 jobs."

But the Environmental Defense Fund looked at Bureau of Labor Statistics data that shows there is a total of 51,000 coal mining jobs in the U.S.

http://www.huffingtonpost.com/entry/scott-pruitts-big-coal-lie_us_59343cc5e4b0649fff211a35?ncid=engmodushpmsg00000004

https://twitter.com/Save_EPA/status/871424058704973824

Can you explain the discrepancy? If not BLS, do you know where the administrator is getting his data?

Thanks a bunch,

Dino

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/4/2017 11:44:32 PM
To: Kessler, Glenn [Glenn.Kessler@washpost.com]
Subject: RE: Wapo Fact Checker query re Pruitt comment on Meet the Press over coal jobs

Can you please give me a call? Ex. 6

From: Kessler, Glenn [mailto:Glenn.Kessler@washpost.com]
Sent: Sunday, June 4, 2017 5:57 PM
To: Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Wapo Fact Checker query re Pruitt comment on Meet the Press over coal jobs

Many readers have been asking about his statement that 50,000 coal/mining jobs have been created in the last few months. Where does that come from? I don't see it in the data.

--Glenn Kessler

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/4/2017 10:48:32 PM
To: Kessler, Glenn [Glenn.Kessler@washpost.com]
CC: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Lincoln Ferguson (ferguson.lincoln@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]; Jahan Wilcox (wilcox.jahan@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]
Subject: RE: Wapo Fact Checker query re Pruitt comment on Meet the Press over coal jobs

Hi Glenn – Administrator Pruitt was referring to mining jobs, which includes coal, and estimating about 50,000 from the statistic below on the June 2, 2017 jobs report, which explains that employment in mining has risen 47,000 jobs since last October. Thanks – Liz

Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gain in support activities for mining.

<https://www.bls.gov/news.release/pdf/empst.pdf>

From: Kessler, Glenn [mailto:Glenn.Kessler@washpost.com]
Sent: Sunday, June 4, 2017 5:57 PM
To: Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Wapo Fact Checker query re Pruitt comment on Meet the Press over coal jobs

Many readers have been asking about his statement that 50,000 coal/mining jobs have been created in the last few months. Where does that come from? I don't see it in the data.

--Glenn Kessler

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/4/2017 4:38:05 PM
To: Colleen Howe [colleen.howe@argusmedia.com]
CC: Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]; Jones, Enesta [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=65b8e6c6e5ca4a7a9ae85d98a4c8eedb-EJones02]
Subject: Re: Press inquiry - Murray petition to Supreme Court

Colleen - "This Administrator doesn't need a lawsuit to care about coal mining jobs," Liz Bowman, EPA spokeswoman

Sent from my iPhone

On Oct 4, 2017, at 12:13 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Colleen,

It's EPA policy not to comment on pending litigation. Please reach out to the Department of Justice.

On Oct 4, 2017, at 11:33 AM, Colleen Howe <colleen.howe@argusmedia.com> wrote:

Hi Enesta,

I hope all is well. I'm reaching out because I'm writing a story on a writ of certiorari Murray Energy has filed with the Supreme Court trying to have the court overturn an appellate court ruling that EPA doesn't have to study the employment impacts of the Clean Air Act:

<https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/17-478.html>

Does EPA have any comment on the news?

Thanks,

Colleen Howe
Reporter
Argus Coal Daily

www.argusmedia.com
Direct: [REDACTED]
Email: colleen.howe@argusmedia.com
Skype ID: argus_colleenhowe

<image001.gif>

Argus Media Tel: +1 202 775 0240 | Fax: +1 202 872 8045
Argus Media Ltd., 1667 K Street, NW, Suite 1150, Washington, DC 20006
<image002.gif>

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/21/2017 5:24:34 PM
To: Childers, Andrew [AChilders@bna.com]
Subject: RE: Coal industry jobs review

From: Childers, Andrew [mailto:ACHilders@bna.com]
Sent: Wednesday, June 21, 2017 12:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Coal industry jobs review

I just wanted to check in with the EPA on the jobs analysis of the coal industry required by the West Virginia court by July 1. With the deadline approaching, I wanted to touch base on the progress the EPA is making, whether you'll hit that deadline, and any next steps that may follow that data being accumulated. The last court filing I saw said about 80-100 employees would be needed to conduct that review. Is that indeed still the case and can you say anything about where those staff are being pulled from and whether there is other work not getting done as a result?

Direct: **Ex. 6**
achilders@bna.com

From: Brown, Byron [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9242D85C7DF343D287659F840D730E65-BROWN, BYRO]
Sent: 12/2/2017 12:21:33 AM
To: Nolan, Rich [RNolan@nma.org]
Subject: FW: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

The pre-pub copy has been posted.

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Friday, December 1, 2017 6:00 PM
Subject: EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

WASHINGTON (December 1, 2017) - Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

“After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities,” **said EPA Administrator Scott Pruitt.** “Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based.”

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities’ operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in the Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current

hardrock mining operations, as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining: the management of hazardous substances at such facilities; federal and state regulatory controls on that management and federal and state financial responsibility requirements; and, the payment experience of the Fund in responding to releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT)**. "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," said **Arizona Governor Doug Ducey**. "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," said **Idaho Governor Butch Otter**. "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," said **Nevada Governor Brian Sandoval**. "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

“States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1),” **said Jim Ogsbury, executive director of the bipartisan Western Governors’ Association.** “These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA’s decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations.”

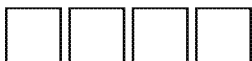
“EPA’s actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism,” **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:

<https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes>

.....

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Message

From: Dominguez, Alexander [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5CED433B4EF54171864ED98A36CB7A5F-DOMINGUEZ,]
Sent: 8/25/2017 12:46:06 PM
To: Stacey Hyatt [shyatt@midwestemissions.com]
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30; Discussion Points

Thank you very much for this Stacey. Looking forward to the meeting and anything else just let me know. Have a good weekend.

Alex

From: Stacey Hyatt [mailto:shyatt@midwestemissions.com]
Sent: Wednesday, August 23, 2017 6:09 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30; Discussion Points

Hi, Alex –

Please see our Discussion Points for our meeting next week:

ME2C's core mission is to improve the environment via significantly reducing mercury emissions while strengthening American jobs within the coal industry. Our strategic focus addresses mercury emission control on a global level. We would like to discuss the following with the EPA:

1. ME2C would like to invite Administrator Pruitt to visit a new coal-fired EGU that is employing ME2C's technologies to achieve cleaner air in a cost-effective manner. We believe such a visit would both reinforce Administrator Pruitt's emphasis on returning EPA to its traditional mission of ensuring clean air, clean water, and clean lands, while at the same time reinvigorating the U.S. coal industry, and would be extraordinarily helpful to ME2C in expanding the global market for its U.S.-developed technologies.
2. ME2C would like EPA's assistance in identifying sources of and obtaining federal grant money that could assist ME2C in expanding the global market for its U.S.-developed technologies.
3. ME2C would like EPA's assistance in identifying and touting its technologies in discussions with foreign governments and energy producers, both as a way of meeting their clean energy goals and as a way of reducing foreign countries' dependence on other countries' competing energy sources (*e.g.*, reducing eastern Europe's dependence on Russian oil and gas, which competes with eastern European coal).

Thank you,

Stacey Hyatt
Executive Assistant,
Sales Operations
Mobile: Personal Phone / Ex. 6
midwestemissions.com



From: Stacey Hyatt
Sent: Monday, August 21, 2017 2:03 PM
To: 'Dominguez, Alexander' <dominguez.alexander@epa.gov>
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30

Thank you, Alex! We will be sure to provide talking points to you this week. This information is very helpful.

Stacey Hyatt
Executive Assistant,
Sales Operations
Mobile: Personal Phone / Ex. 6
midwestemissions.com



From: Dominguez, Alexander [mailto:dominguez.alexander@epa.gov]
Sent: Monday, August 21, 2017 12:34 PM
To: Stacey Hyatt <shyatt@midwestemissions.com>
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30

Yes confirmed for Wednesday, 9:30 AM ET. Please make sure to get me a description of items Rick and Louis are looking to discuss/list of talking points by this Friday.

Location: 1200 Pennsylvania Avenue, NW - Room 3530 WJCN

Directions: Please use the William Jefferson Clinton North Entrance located on your right as you exit the Federal Triangle Metro Station. <https://www.epa.gov/sites/production/files/2013-08/federaltrianglemap5.jpg>

EPA Contact: For an escort from security to the meeting call Ex. 6 or 202-564-3164. Please make sure guests bring their ID's for security.

Anything else just let me know.

Alex

From: Stacey Hyatt [mailto:shyatt@midwestemissions.com]
Sent: Monday, August 21, 2017 11:41 AM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30

Hi, Alex – thank you for confirming Mandy's availability for Wed., Aug 30. Please confirm our meeting time for 9:30 AM with Rick MacPherson and Louis Rabman.

If you could confirm both the address and access/instructions to enter the building, this would be very helpful.

Thank you,

Stacey Hyatt
Executive Assistant,
Sales Operations
Mobile: Personal Phone / Ex. 6
midwestemissions.com



From: Dominguez, Alexander [<mailto:dominguez.alexander@epa.gov>]
Sent: Monday, August 21, 2017 11:23 AM
To: Stacey Hyatt <shyatt@midwestemissions.com>
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30

Yes unfortunately her schedule fills up quite quickly and me not being able to work remotely this weekend only exacerbated this. On Wednesday, August 30th can you do 9:30AM or 10AM?

Alex

From: Stacey Hyatt [<mailto:shyatt@midwestemissions.com>]
Sent: Monday, August 21, 2017 9:35 AM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: Meeting Request w/ EPA; Wednesday, Aug 30

Hello, Alex –

I reached out to you on Friday to confirm a time to meet with Mandy on Monday, Aug 28. I realize that Mandy has a conflict from 10-11 AM. Wednesday morning would also work very well with Rick's schedule, and it appears that Mandy may have more flexibility on Wednesday.

Could we confirm a time to meet with Mandy on Wednesday morning, Aug 30?

In addition to Rick MacPherson, ME2C CEO, we would also include Louis Rabman, our consultant directly involved in global outreach for ME2C.

Thank you for your help.

Stacey Hyatt
Executive Assistant,
Sales Operations
Mobile: Personal Phone / Ex. 6
midwestemissions.com



From: Dominguez, Alexander [<mailto:dominguez.alexander@epa.gov>]
Sent: Thursday, August 17, 2017 2:40 PM
To: Stacey Hyatt <shyatt@midwestemissions.com>
Subject: RE: Meeting Request w/ EPA

Thank you for the information Stacey and discussion points would be great. Right now she is pretty open the week of the 28th aside from 10-11AM Monday-Friday and 1:30 – 2:30 on Wednesday. Just let me know and we can figure something out.

Best,
Alex

From: Stacey Hyatt [<mailto:shyatt@midwestemissions.com>]
Sent: Thursday, August 17, 2017 2:28 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: Meeting Request w/ EPA

Alex, thank you for your response! We will have our availability for the end of August to you by Monday and should have a couple of days available to meet. Richard MacPherson will attend an Environmental conference in Poland Sept 4-8; with Mandy Gunasekara's planned time out of the office mid-late Sept, the last week of August might work the best. If you have specific openings for the week of Aug 28, please let us know these days in the meantime so that we can work around you and your team's availability.

We will also provide our short list of discussion points to discuss with both you and Mandy and anyone else on your team that you find relevant.

Thank you,

Stacey Hyatt
Executive Assistant,
Sales Operations
Mobile: Personal Phone / Ex. 6
midwestemissions.com



From: Dominguez, Alexander [<mailto:dominguez.alexander@epa.gov>]
Sent: Thursday, August 17, 2017 9:36 AM
To: Stacey Hyatt <shyatt@midwestemissions.com>
Subject: Meeting Request w/ EPA

Morning Stacey,

I was forwarded Mr. MacPherson's meeting request and my boss, Mandy Gunasekara, the Senior Policy Advisor to the Administrator for Air & Radiation, would be more than happy to set up a call or meet with your team. If you could provide me a little more information on the topics you'd like to discuss and dates that work for you all that would be great. I will say if the group is looking for an in-person meeting here at EPA, before the second week of September would be ideal as Mandy is likely on work-related travel the second half of the month. Any questions, don't hesitate to reach me at 202-564-3164.

Best,
Alex

Alex Dominguez
*Policy Analyst to the Senior Advisors to
the Administrator for Air and Water*
U.S. Environmental Protection Agency

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 2/6/2018 7:55:03 PM
To: GRAMALHO@sbgvtv.com
CC: Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: FW: EPA Chief Scott Pruitt goes one-on-one with Las Vegas' News 3

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, February 6, 2018 2:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: EPA Chief Scott Pruitt goes one-on-one with Las Vegas' News 3

NEWS 3 - LAS VEGAS

Exclusive: EPA Chief Scott Pruitt Goes One-On-One With Las Vegas' News 3

Gerard Ramahlo

February 6th 2018

<http://news3lv.com/news/local/epa-chief-scott-pruitt-goes-one-on-one-with-news-3>

Chief Administrator of the Environmental Protection Agency Scott Pruitt sat down with News 3's Gerard Ramalho Tuesday morning to discuss a variety of issues, including mining regulation, climate change, the Paris Climate Accord and President Trump's desires to roll back coal regulation.

Pruitt arrived in Nevada Monday and spent time with Governor Brian Sandoval touring the Anaconda Mine in Lyon County. He also visited with miners at the Coeur Rochester Mine in Lovelock to discuss regulatory reforms to preserve jobs in the mining industry.

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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 12:19:49 PM
To: amy@axios.com
CC: Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]; Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: From EPA, Jobs Cited Information

Hi Amy – Per your Axios piece this morning, I want to provide additional background on the jobs information cited by Administrator Pruitt on Sunday. Administrator Pruitt was trying to underscore the fact that America’s miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration.

In his discussion with Chuck Todd, he meant to say “mining”, instead of “coal” and he was using statistics from the June 2nd 2017 BLS jobs report. Page two of the release below explains, “Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gains in support activities for mining.”

We will provide additional context to clarify this point moving forward, in addition to further information about this report, showing that “Since January, the unemployment rate has declined by 0.5 percentage point, and the number of unemployed has decreased by 774,000.”

<https://www.bls.gov/news.release/pdf/empst.pdf>

Thank you,

Liz

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/29/2017 7:14:52 PM
To: Durkin Richer, Alanna [ADurkin@ap.org]; Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
Subject: RE: AP story

Hi Alanna – EPA's statement is below. I'll have to check on the second question.

"President Trump's EPA will take the economic and job impacts of its proposed regulations into account consistent with its statutory requirements, regardless of the outcome of this particular case." - Amy Graham, EPA spokesperson

From: Durkin Richer, Alanna [mailto:ADurkin@ap.org]
Sent: Thursday, June 29, 2017 3:11 PM
To: Press <Press@epa.gov>
Subject: AP story

Hi – Does the EPA have a statement today on the decision in the 4th Circuit regarding the coal jobs report?

I also have a question: Has the agency's first report on coal job losses been issued yet? Does the administration still intend to issue that report?

Thanks,

AP

Alanna Durkin Richer
Reporter
Richmond, Virginia
@aedurkinricher

T: Ex. 6
C: Personal Phone / Ex. 6
<http://apne.ws/2hIhzDb>

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From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/29/2017 3:29:44 PM
To: Timothy Cama [tcama@thehill.com]; Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]
Subject: RE: Murray coal jobs lawsuit

Hi Tim – Here is EPA's statement:

"President Trump's EPA will take the economic and job impacts of its proposed regulations into account consistent with its statutory requirements, regardless of the outcome of this particular case." - Amy Graham, EPA spokesperson

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Thursday, June 29, 2017 10:16 AM
To: Press <Press@epa.gov>
Subject: Murray coal jobs lawsuit


Hi folks-

Do you want to respond to this morning's Fourth Circuit decision in the Murray Energy lawsuit over coal job estimates?

Thanks.

--

Timothy Cama, Staff writer
The Hill

 (Also on Signal and WhatsApp)

www.thehill.com

Message

From: Ferguson, Lincoln [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, L]
Sent: 7/20/2017 2:54:25 PM
To: ashley@angelarogersgroup.com
Subject: Fwd: MORNING COMMUNICATIONS BRIEFING - July 20, 2017

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: July 20, 2017 at 9:43:48 AM CDT
To: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>
Subject: FW: MORNING COMMUNICATIONS BRIEFING - July 20, 2017

Can you all please print this for him and/or make sure he sees these talking points on jobs and the economy from the White House? There are mentions of Paris and EPA in here.

MESSAGE OF THE DAY

- Obamacare was a big lie. 'You can keep your doctor' -- lie. 'You can keep your plan' -- lie. Now, people are hurting, and inaction is not an option. We need to repeal and replace this disaster. The Senate should not leave town until we have a plan to give our people great healthcare. The President is ready to act; He has his pen in hand. He will sign it, and then we can celebrate for the American people.

Top Line

- In his first six months in office, President Trump's leadership has made the American people stronger, safer, and more prosperous – and we are just getting started.
- A renewed spirit of optimism and the President's America First policies have led to economic growth unlike anything we have seen in many years.
 - 863,000 jobs have been added since January, including 821,000 in the private sector.
 - 79,000 construction jobs
 - 42,000 mining jobs
 - 41,000 manufacturing jobs
 - African Americans and teenagers (age 16 – 19) are experiencing their lowest unemployment rate since 2000.
- President Trump has prioritized the safety and security of the American people, and restored our Nation's standing on the world stage.
 - U.S.-backed Iraqi forces recaptured Mosul from ISIS, a decisive blow that is one more step in fulfilling President Trump's commitment to defeat them.
 - Illegal border crossings are down nearly 52 percent, compared to the same time last year.
 - Our brave men and women of law enforcement (ICE) have already removed 2,798 criminal gang members, compared to 2,057 criminal gang members all of last year.
 - After his three trips abroad, our allies know they once again have no greater friend – and our enemies know they have no fiercer adversary – than the United States of America.

- With the confirmation of Justice Neil Gorsuch, the President delivered on his promise to put a Constitutional conservative on the United States Supreme Court, a decision that will have a positive impact on generations of Americans.

Fact Sheet

BRINGING ACCOUNTABILITY BACK TO GOVERNMENT: In six months in office, President Trump has followed through on his promise to the American people to bring accountability back to government.

- To make sure the Government serves the needs of all Americans, President Trump has called for a comprehensive plan to reorganize the executive branch and has used his budget to begin to implement his plan.
 - President Trump created the Office of American Innovation to streamline and improve the Government for future generations.

SPURRING JOBS CREATION: President Trump's impact on the economy has been immediate, spurring job creation across the country.

- The Dow Jones Industrial Average has increased 17 percent since election day, hitting new highs 25 times this year already.
- Since January, the economy added 863,000 jobs, including 821,000 in the private sector.
 - 79,000 construction jobs added since January.
 - 42,000 mining and logging jobs added since January.
 - 41,000 manufacturing jobs added since January.

CUTTING DOWN JOB KILLING REGULATIONS: Just six months in office, President Trump has taken historic action to eliminate wasteful and costly regulations that have stood in the way of hardworking Americans.

- The American Action Forum estimates a potential \$70 billion in costs reductions from President Trump's actions to cut back regulations.
- By withdrawing from the Paris Climate Accord, President Trump protected America from a bad deal that would have harmed our economy.
 - According to a study by NERA Consulting, meeting the Obama Administration's obligations under the Paris Climate Accord could have cost the United States economy nearly \$3 trillion.
 - According to the same study, 6.5 million industrial sector jobs could have been lost, including 3.1 million manufacturing sector jobs.
- Through infrastructure reform and investment, the Trump Administration aims to dramatically reduce permit approvals for projects from 10 years to 2 years, spurring investment and job creation.

OPENING UP AMERICAN ENERGY: In six months, President Trump has turned around America's policy on energy production after years of opposition.

- President Trump has acted aggressively to increase exports of our energy resources to a global market.
 - Updated guidance from the Treasury Department to allow the United States to export coal.
 - Expedited the permitting and approval processes of Liquefied Natural Gas (LNG) terminals and exports, including the approval of the Lake Charles LNG terminal in Louisiana.
- President Trump has unleashed oil and gas development in the United States by expanding access to resources and the infrastructure needed to get them to market.
 - Approved the Keystone XL and Dakota Access pipelines, creating over 42,000 jobs and \$2 billion in earnings.
 - Signed an Executive Order mandating future pipeline work to be done by American workers and with American steel.

- Expedited new pipeline approval and production, such as the New Burgos Pipeline to Mexico.
 - Signed an Executive Order to extend offshore oil and gas drilling and reissued a leasing program to develop offshore resources.
 - Boosting oil and gas development on Federal lands.
- The Environmental Protection Agency is reconsidering an Obama-era rule on greenhouse gas emissions that is estimated to cost oil and natural gas operators as much as \$530 million annually.
- President Trump kept his campaign promise to coal miners and rolled back the previous Administration's "Stream Protection Rule," which targeted the beleaguered industry with estimated costs of at least \$81 million a year.

Message

From: Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]
Sent: 4/24/2018 6:43:28 PM
To: Jim Lakely [JLakely@heartland.org]
Subject: FW: Heartland Institute Applauds End of 'Secret Science' at EPA

Great stuff!

From: Joseph Bast [mailto:JBast@heartland.org]
Sent: Tuesday, April 24, 2018 2:40 PM
Subject: Heartland Institute Applauds End of 'Secret Science' at EPA

From: Jim Lakely <jlakely@heartland.org> on behalf of Jim Lakely <jlakely@heartland.org>
Date: Tuesday, April 24, 2018 at 1:32 PM
To: Jim Lakely <JLakely@heartland.org>
Subject: Heartland Institute Applauds End of 'Secret Science' at EPA

THE HEARTLAND INSTITUTE

FREEDOM RISING



Heartland Institute Applauds End of 'Secret Science' at EPA



Environmental Protection Agency Administrator Scott Pruitt today announced the end of “secret science” at the agency. The new rule, subject to a 30-day comment period, will require the underlying data of scientific studies used to make federal environment and energy policy be open to public inspection and possible criticism.

The following statements from environment and energy experts at The Heartland Institute – a free-market think tank – may be used for attribution. (NOTE: Picture at left taken by Heartland Institute staffer who was invited to the announcement today at EPA headquarters in Washington, DC.)

For more comments – **or to book a guest for your program via Heartland’s professional TV studio** – please contact Director of Communications Jim Lakely at media@heartland.org and 312/377-4000 or (cell) 312/731-9364.

“Another week at the EPA, another victory for transparency by Scott Pruitt. For decades, the EPA has improperly claimed massive power to regulate nearly every aspect of our economy and lives. It is long overdue that the EPA should make such data and collection methods available for public review and analysis.”

Tim Huelskamp, Ph.D.

President

The Heartland Institute

thuelskamp@heartland.org

312/377-4000

Dr. Huelskamp represented Kansas' 1st District in the House of Representatives from 2011 to 2017.

“EPA Administrator Scott Pruitt’s announcement marks the beginning of the end of one of the biggest scandals in the history of public health research and of the Environmental Protection Agency. Badly flawed research on the human health effects of fine particulate matter (PM2.5) conducted during the 1980s and 1990s was used to justify regulations forcing thousands of corporations and hundreds of coal-powered electricity generation plants to close. Subsequent research shows ambient levels of PM2.5 have little or no adverse effects on human health, yet the regulations remain in place, like zombies, killing jobs and endangering public health and well-being by unnecessarily raising the cost of energy and causing unemployment. The Obama administration exploited this corrupt science to wage its war on fossil fuels, a war now thankfully being brought to an end by President Trump.

“Demanding the end of reliance on secret science may be the most consequential decision made by EPA since the election of Donald Trump. This day vindicates the efforts of some real heroes in the public health debate – Dr. Robert Phalen, Dr. James Enstrom, Dr. John Dunn, M.D., and Steve Milloy. It is a day for celebration by everyone who supports sound science and environmental protection.”

Joseph Bast

Director and Senior Fellow

The Heartland Institute

jbast@heartland.org

312/377-4000

“It is amazing that the public ever allowed a government agency supported by their taxes to hide the information used to restrict their lives through regulation. It is only surprising that the leftist EPA and our court system allowed this to take place for so long. EPA Administrator Scott Pruitt is finally reining in the out of control regulatory process.

Jay Lehr

Science Director

The Heartland Institute

[jllehr@heartland.org](mailto:jlehr@heartland.org)

312/377-4000

“This is one small step for regulatory reform, one giant leap for scientific integrity and political transparency.

“Transparency and reproducibility are part of the very foundation of scientific progress. EPA should never rely on non-public scientific data when crafting rules, guidance documents, or when undertaking other agency actions. This same approach should be true for every administrative agency. When writing rules, regulators should only be allowed to consider scientific studies whose researchers make their data available for public scrutiny and whose findings can be replicated.”

H. Sterling Burnett

Senior Fellow, Environment & Energy Policy
The Heartland Institute
Managing Editor, *Environment & Climate News*
hburnett@heartland.org

Ex. 6

“The end of ‘secret science’ at EPA is very big news and you know it’s an important step by the volume and hysteria of Administrator Pruitt’s critics. The critics of this move understand that the Endangerment Finding and other over-reaching regulations are based on black box ‘secret science’ that cannot stand up to prudent review.

“Requiring all underlying data to be made public before a study can be used to set policy is just common sense. My junior high algebra teacher made me show my work to get credit for a test answer. If it’s good enough for junior high, we should hold EPA to at least that level of transparency.

“The ginned up attack on Scott Pruitt is intended to stop him from exposing the bogus ideological foundation of EPA regulation. But, it is not working. Kudos to Administrator Pruitt, his team at EPA, and the Trump administration.”

Bette Grande

Research Fellow, Energy Policy
The Heartland Institute
governmentrelations@heartland.org
312/377-4000

Ms. Grande represented the 41st District in the North Dakota Legislature from 1996 to 2014.

“Much to Administrator Scott Pruitt’s credit, the EPA has decided to end the use of ‘secret science’ as a basis for regulatory actions that have damaged our economy, put companies out of business, and harmed consumers.

“During the Obama administration, the EPA wantonly destroyed 94 percent of the market value of the coal industry, killed thousands of coal mining jobs, and wreaked havoc on coal mining families and communities — all based on data the EPA and its taxpayer-funded university researchers have been hiding from the public and Congress for more than 20 years.

“Administrator Pruitt’s decision to bring science back into the sunlight spells the end of ‘secret science,’ which has fueled overregulation by the EPA for years. Second only to President Trump himself, Administrator Pruitt is the most valuable public servant America has.”

Steve Milloy

Senior Policy Fellow, E&E Legal
Policy Advisor, The Heartland Institute
media@heartland.org
312/377-4000

Mr. Milloy is the author of Scare Pollution: Why and How to Fix the EPA (2016).

The Heartland Institute is a 34-year-old national nonprofit organization headquartered in Arlington Heights, Illinois. Its mission is to discover, develop, and promote free-market solutions to social and economic problems. For more information, visit [our website](#) or call 312/377-4000.

This email was sent to jlakely@heartland.org
The Heartland Institute, 3939 North Wilke Road, Arlington Heights, IL 60004, United States
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Message

From: Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]
Sent: 8/21/2018 12:24:12 PM
To: Burke, Ashley [ABurke@nma.org]
Subject: RE: Power Plan Replacement Rule Restores Federal and State Balance Mandated by Law

Thank you! It's game day.

From: Burke, Ashley [mailto:ABurke@nma.org]
Sent: Monday, August 20, 2018 9:03 PM
To: Konkus, John <konkus.john@epa.gov>
Subject: Power Plan Replacement Rule Restores Federal and State Balance Mandated by Law

<https://nma.org/2018/08/20/power-plan-replacement-rule-restores-federal-and-state-balance-mandated-by-law/>

Power Plan Replacement Rule Restores Federal and State Balance Mandated by Law

WASHINGTON, D.C. – Hal Quinn, President and Chief Executive Officer of the National Mining Association (NMA), issued the following statement in response to the Environmental Protection Agency's (EPA's) proposed replacement rule.

“Through the replacement rule, the EPA has returned to a lawful framework for regulation of power plant emissions. The Clean Air Act created a system of shared authority by EPA and the states, and this proposal appropriately reflects that construct.

“The policy put forward by the previous administration was an illegal attempt to impose a political agenda on the country's power system, to create what it called ‘a new energy economy.’ That ‘new energy economy’ would have had dire consequences for everyday Americans who depend on affordable, reliable coal-powered electricity, forcing the premature retirement of many existing coal plants, and increasing the vulnerability of our grid to supply outages and price spikes — an unacceptable proposal given the negligible environmental benefits.

“The replacement rule respects the infrastructure and economic realities that are unique to each state, allowing for state-driven solutions, as intended by the Clean Air Act, rather than top down mandates. It also embraces American innovation, by encouraging plant upgrades.

“Advancing the nation's environmental protections does not have to come at the expense of American families, risking the reliability of our grid and sidestepping the law. The EPA and the Trump administration should be applauded for articulating a clear, legal proposal that considers the interests of all Americans.”

Background

The Obama administration's Clean Power Plan (CPP) was formally unveiled by President Obama on Aug. 3, 2015, and officially published on Oct. 23, 2016.

Economic Impacts

The diverse fuel mix in the U.S. allows price increases in any one fuel to be offset by another. IHS Markit recently found that the current diversified U.S. electric supply portfolio, which is anchored by coal,

reduces the cost of electricity by about \$114 billion/year and lowers the average retail price of electricity by 27 percent.[i] Under the CPP, however, that valuable fuel diversity and its cost savings would have eroded.

An analysis of the CPP by Energy Ventures Analysis (EVA) forecast that the plan would have forced the closure of 41,000 MW of coal-based generating capacity – an amount capable of serving 24 million homes – costing consumers an estimated additional \$214 billion for electricity between 2022 and 2030, and an additional \$64 billion for the construction of replacement generating capacity.[ii] And projections in the Energy Information Administration’s Annual Energy Outlook 2017 estimated that the original plan would have reduced coal demand by 242 million tons, which would decrease coal-related direct and indirect employment by 127,000 high-wage jobs by 2040.[iii]

A recent case study from EVA found the cost to consumers of premature coal plant retirements is 15 times more than the cost of supporting continued plant operations. Specifically analyzing three at-risk coal plants in the PJM region, the case study found the loss of those plants would result in \$2.0 billion in increased annual energy and capacity market prices, while the cost of continued operations of those plants would be \$130 million.[iv]

Climate Impacts

Climate change benefits of the Obama CPP would be virtually unmeasurable—with global temperatures reduced by 0.018°C[v] by the year 2100, atmospheric concentrations of CO₂ reduced by less than one percent[vi].

Path to Replacement Rule

Due to concerns about immediate negative economic consequences and wide-ranging legal defects, including the rule’s constitutionality, regulatory overreach, and its contradiction of established interpretation of the CAA, it was immediately challenged in court (*West Virginia v. Environmental Protection Agency*) by a broad coalition of concerned parties. Due to the extraordinary nature of the case, and the threat of immediate economic harm posed by the rule, the Supreme Court issued a stay on Feb. 9, 2016, suspending any obligation by the states to implement the rule before litigation is completed.

On March 28, 2017, the Trump Administration issued Executive Order 13783, which directed the administrator of EPA to review the CPP and, if appropriate, to “as soon as practicable, suspend, revise, or rescind... or publish for notice and comment proposed rules suspending, revising, or rescinding those rules.”

On October 16, 2017, the EPA published a proposed rule to repeal the CPP.

Progress on Emissions Reductions

Independent of either rule, the industry significantly reduced emissions in recent years and continues to do so. Emissions per kilowatt-hour (kWh) of sulfur dioxide (SO₂), nitrogen oxides (NO_x) and particulate matter (PM) from the coal fleet have been reduced by more than 93 percent over the period 1970-2017. The industry has invested almost \$122 billion into emissions controls through 2017, and is expected to spend an additional \$5 billion through 2020.[vii]

###

[i] IHS Markit, “Ensuring Resilient and Efficient Electricity Generation: The Value of the Current Diverse U.S. Power Supply Portfolio,” <https://ihsmarkit.com/Info/0917/electricity-generation-special-report.html>, 2017.

[ii] Energy Ventures Analysis, “EPA’s Clean Power Plan: An Economic Impact Analysis,” https://nma.org/wp-content/uploads/2017/02/11.13.15-NMA_EPAs-Clean-Power-Plan-An-Economic-Impact-Analysis.pdf, 2015.

[iii] Direct coal mining jobs derived from Mine Safety and Health Administration’s miner productivity data. Indirect employment effects derived from the coal mining sector job multiplier (3.6) in the IMPLAN economic impact model.

[iv] Energy Ventures Analysis, “Impact of Coal Plant Retirements on the U.S. Power Markets – PJM Interconnection Case Study,” <https://nma.org/wp-content/uploads/2018/07/EVA-Report-on-Coal-Plant-Retirements-Final-7.19.2018.pdf>, July 2018.

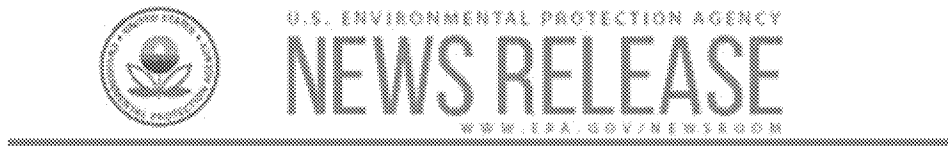
[v] “0.02°C Temperature Rise Averted: The Vital Number Missing from the EPA’s ‘By the Numbers’ Fact Sheet,” CATO Institute, <https://www.cato.org/blog/002degc-temperature-rise-averted-vital-number-missing-epas-numbers-fact-sheet>, June 2014.

[vi] “Climate Effects” Of EPA’s Final Clean Power Plan,” American Coalition for Clean Coal Electricity, <http://www.americaspower.org/wp-content/uploads/2015/09/Climate-Effects-Paper-August-6-2015.pdf>, August 2015.

[vii] ACCCE “Coal Facts,” <http://www.americaspower.org/wp-content/uploads/2018/03/Coal-Facts-March-2018.pdf>, March 2018.

Message

From: Konkus, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=555471B2BAA6419E8E141696F4577062-KONKUS, JOH]
Sent: 6/4/2017 5:01:11 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
BCC: 'bndunlop@heritage.org'; 'pmichaels@cato.org'; 'jlakely@heartland.org'; 'meredith.schultz@aei.org'; 'myron.ebell@cei.org'; 'bonnercohen@Personal Email / Ex. 6'; 'll@leonardleo.com'; 'kct21968@Personal Email / Ex. 6'; 'JBast@heartland.org'
Subject: ICYMI: Pruitt Hits Three Sunday Shows



In Case You Missed It

EPA Administrator Scott Pruitt appeared on three Sunday talk shows this morning. Below are the highlights.

EPA Administrator Scott Pruitt on NBC's *Meet the Press* on the bright future of American energy:

NBC'S CHUCK TODD: "He is right that you are making a false promise to some of the fossil fuel industries?"

ADMINISTRATOR PRUITT: "Dead wrong. The numbers show the exact opposite. Since the fourth quarter of last year to most recently added 50,000 jobs in the coal sector. In the month of May alone, 7,000 [mining and drilling] jobs. Here's what's key about our power grid in this country. You have to have fuel diversity, Chuck, because if we go to an all renewable, all natural gas type of approach, if there is an attack on the transportation network, there is only so much natural gas that can go into that facility to generate electricity. We need solids stored on site to draw down upon for threats to our grid. Fuel diversity, stability, consistency is key to the manufacturing base. It's also key to keeping costs low. Our price per kilowatt is far less in Germany, far less than what it is in Europe. We need to keep that approach."

Administrator Pruitt on ABC's *This Week* on the "euphoric" response to the President's decision on the Paris Agreement from the small business community:

ADMINISTRATOR PRUITT: "Well, when you look at, even the 'New York Times' had an article, I think, within the last couple of days that talked about small business celebrating, euphoria, with respect to the president's decision. I mean, it's very speculative in my estimation, George, for those multinational companies to say this is going to somehow impact the exporting of green technology across the globe. What we do know, what we do know objectively, is that the Paris agreement represented a \$2.5 trillion reduction in our Gross Domestic Product over ten years. What we do know, is that it impacted up to 400,000 jobs as well. And so this is something that was bad for our country, this makes common sense. That when you take energy sector jobs and say, 'we're no longer going to produce energy in those sectors' it is going to impact the manufacturing base and the energy jobs in this country. We've had over 50,000 jobs since last quarter. Coal jobs, mining jobs, created in this country. We've had almost 7,000 mining and coal jobs created in the month of May alone. The unemployment rate is 4.3% as you know, George. This president's deregulation agenda, particularly in the energy space, is making a substantial impact on the jobs across this country and giving people hope. And I will say this to you, it's also rejecting the previous administration's view that you can't grow jobs and protect the environment, because as I indicated earlier, we have reduced our CO2 footprint with action, from 2000 to 2014 by over 18% through innovation and technology."

Administrator Pruitt on Fox's *Fox News Sunday* on the President's regulation philosophy:

ADMINISTRATOR PRUITT: "This President has said we truly need an all above approach. We should not penalize sectors of our economy, Chris. Government regulation shouldn't be used to pick winners and losers. The past

administration declared a war on coal and there were several coal facilities across this country shut down because of their past efforts. That is not what government regulation should be about. Government regulation should be about making things regular, not picking winners and losers and making sure we have fuel diversity in generating electricity in this country. And as I indicated the job numbers show already, already, that this President's deregulatory agenda, his leadership in the energy space is making a difference for jobs across this country, almost 50,000 in the coal sector alone."

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Message

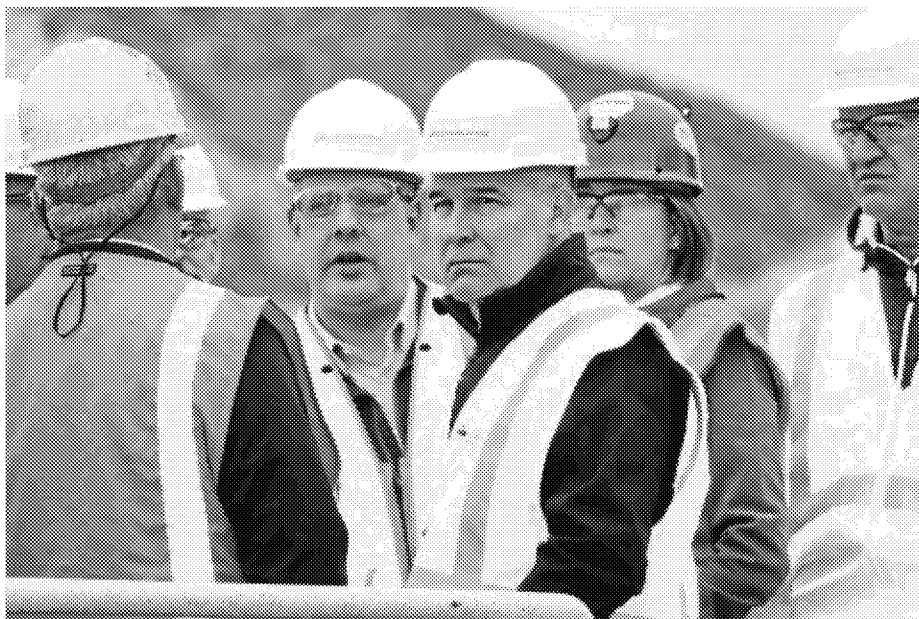
From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 2/6/2018 7:23:20 PM
To: Kelsey Tamborrino [ktamborrino@politico.com]; Abboud, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b6f5af791a1842f1adcc088cbf9ed3ce-Abboud, Mic]
CC: Block, Molly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=60d0c681a16441a0b4fa16aa2dd4b9c5-Block, Moll]
Subject: RE: Hey Kelsey

Elko Daily

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SUZANNE FEATHERSTON, SFEATHERSTON@ELKODAILY.COM

U.S. Environmental Protection Agency Administrator Scott Pruitt, center, tours Coeur Mining Inc.'s Rochester mine during a visit Feb. 5 to discuss the recent EPA decision not to impose additional financial assurances for reclamation on certain hardrock mines. Looking on are Jay Gear, Coeur vice president of environment, and Dana Bennett, president of the Nevada Mining Association.

EPA's Pruitt visits mine

SUZANNE FEATHERSTON
sfeatherston@elkodaily.com

LOVELOCK — An agency that encourages stewardship over prohibition is the Environmental Protection Agency that Administrator Scott Pruitt represented to the Nevada mining industry on Feb. 5.

The presidential cabinet member visited Coeur Mining Inc.'s Rochester mine near Lovelock to discuss the agency's December decision not to issue final regulations for financial responsibility requirements for certain hardrock mining operations.

"What is environmental stewardship? What is environmental protection?" Pruitt asked. "I think as we work together over the next several years, we need to get back to stewardship, not prohibition."

The EPA decided not to issue the final rules under the Comprehensive Environmental Response, Compensation and Liability Act — CERCLA or Superfund — "because the risks associated with these facilities' operations are addressed by existing federal and state programs and

"The agency that I've been selected to lead, the last several years has been weaponized. It's been weaponized against certain sectors of our economy, and yours was one of them."

— EPA Administrator Scott Pruitt

industry practices," according to an EPA statement. The rules regarding mine reclamation would have affected 45 facilities across Nevada, he said, and many more across the country.

After a tour of the silver-and-gold open pit mine, Pruitt addressed some of Coeur Rochester's 300 employees in the truck shop. Also in attendance were Nevada officials, including Gov. Brian Sandoval, Nevada Mining Association President Dana Bennett, Bureau of Land Management's Nevada Director John Ruhs, and industry experts.

"The agency that I've been selected to lead, the last several years has been weaponized. It's been weaponized against certain sectors of our economy, and yours was one of them," Pruitt said. "Think about that for a second. An agency in Washington, D.C., weaponized against its own sectors of the economy across this country. That's not the way it should work."

Sandoval reminded listeners that Nevada already has policies in place to ensure good stewardship of the environment. He echoed the administrator's statement that additional regulations would have placed undue burden on the mining industry and economy of rural Nevada.

"Nevada's our house," Sandoval said. "We're proud of it, and we take good care of it."

During a seven-month EPA public comment period in 2017 before the decision, Sandoval joined governors from across the country in declaring

Please see PRUITT, Page A3

2 men jailed for drugs

ELKO DAILY

ELKO — Two Elko men were arrested Saturday morning on drug charges after one of them was pulled over for an alleged traffic violation.

Peter J. Alberro, 52, was stopped for failure to yield at Spruce Road and Mountain City Highway, and he consented to a search of his vehicle, according to Elko Police Department Lt. Michael Palhegyi. Officers found a meth pipe so they called in a canine to determine if drugs were in the vehicle.



Alberro

Police confiscated 24.86 grams of methamphetamine.

Based on that arrest and earlier investigation, police obtained a search warrant for a home in the 400 block of Oak Street. Assisted by the narcotics task force and SWAT team, they found additional meth and prescription pills packaged for sale.

Anthony J. Estrella, 39, of Elko was arrested at the residence.



Estrella

Alberro faces two counts of trafficking a controlled substance, three felony counts of possession of a controlled substance, possession with intent to sell, possession of a dangerous drug without a prescription, six counts of use or possession of drug paraphernalia, failure to yield at a stop or yield sign, and passenger obstructing driver's vision or control of vehicle. His bail was set at \$203,430.

Estrella was arrested for felony possession with intent to sell a controlled substance, and use or possession of drug paraphernalia. His bail was set at \$100,640.

According to Elko Daily Free Press records, Estrella was also arrested in December on a felony warrant for trafficking and selling a controlled substance.

Palhegyi said the investigation is ongoing.

From: Kelsey Tamborrino [mailto:ktamborrino@politico.com]
Sent: Tuesday, February 6, 2018 2:21 PM
To: Abboud, Michael <abboud.michael@epa.gov>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Block, Molly <block.molly@epa.gov>

Subject: RE: Hey Kelsey

Thanks for flagging!

From: Abboud, Michael [<mailto:abboud.michael@epa.gov>]

Sent: Tuesday, February 06, 2018 2:20 PM

To: Kelsey Tamborrino <ktamborrino@politico.com>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Block, Molly <block.molly@epa.gov>

Subject: Hey Kelsey

Hey Kelsey wanted to flag this for you if you're looking for content for Morning Energy.

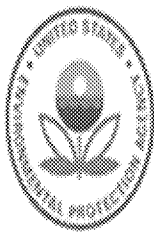
Administrator Pruitt's visit to Nevada garnered front page coverage, and highlighted actions taken at EPA having real world impacts on Americans.

From: EPA Press Office [<mailto:press=epa.gov@cmail19.com>] **On Behalf Of** EPA Press Office

Sent: Tuesday, February 6, 2018 9:54 AM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: EPA Administrator Visits Nevada Silver-Gold Mine



U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

ELKO DAILY FREE PRESS

EPA Administrator Visits Nevada Silver-Gold Mine

Suzanne Featherston

February 6, 2018

http://elkodaily.com/mining/epa-administrator-visits-nevada-silver-gold-mine/article_ac470e58-6963-5ec6-8222-90d5bec0929f.html

An agency that encourages stewardship over prohibition is the Environmental Protection Agency that Administrator Scott Pruitt represented to the Nevada mining industry on Feb. 5.

The presidential cabinet member visited Coeur Mining Inc.'s Rochester mine near Lovelock to discuss the agency's December decision not to issue final regulations for financial responsibility requirements for certain hardrock mining operations. "What is environmental stewardship? What is environmental protection?" Pruitt asked. "I think as we work together over the next several years, we need to get back to stewardship, not prohibition."

The EPA decided not to issue the final rules under the Comprehensive Environmental Response, Compensation and Liability Act — CERCLA or Superfund — "because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices," according to an EPA statement. The rules regarding mine reclamation would have affected 45 facilities across Nevada, he said, and many more across the country.

After a tour of the silver-and-gold open pit mine, Pruitt addressed some of Coeur Rochester's 300 employees in the truck shop. Also in attendance were Nevada officials, including Gov. Brian Sandoval, Nevada Mining Association President Dana Bennett, Bureau of Land Management's Nevada Director John Ruhs, and industry experts. "The agency that I've been selected to lead, the last several years has been weaponized. It's been weaponized against certain sectors of our economy, and yours was one of them," Pruitt said. "Think about that for a second. An agency in Washington, D.C., weaponized against its own sectors of the economy across this country. That's not the way it should work."

Sandoval reminded listeners that Nevada already has policies in place to ensure good stewardship of the environment. He echoed the administrator's statement that additional regulations would have placed undue burden on the mining industry and economy of rural Nevada.

"Nevada's our house," Sandoval said. "We're proud of it, and we take good care of it." During a seven-month EPA public comment period in 2017 before the decision, Sandoval joined governors from across the country in declaring additional financial assurances for mine reclamation redundant, a point he revisited during the event.

"In our state, there are requirements that have been in place since 1991," Sandoval said, explaining that Nevada requires \$2.7 billion in bonding for 167,000 acres. "I'm really proud of our regulatory system. It serves as a national model."

Pruitt said he aims to help restore cooperative partnerships between the states and the federal government to be good stewards of the environment. What he described as a "commonsense" approach acknowledges that states have financial assurances already in place and that the proposed policy was not cost-effective for taxpayers. He said the decision reflects the direction of President Donald Trump to "put America first."

“We recognized that you in Nevada recognize that you care about the air that you breath, the water you drink and how you take care of your land in the state,” Pruitt said. “Having a rule that was punitive, weaponized against the mining sector, was not a reason to have the rule, so we stopped the rule.”

The administrator and governor stressed that the result of not requiring additional financial assurances should stimulate the economy, as mining companies invest in jobs and expand operations.

“This truly is something we should all celebrate because it does reverberate to all of you, because we don’t have to do this redundant bonding. That allows the mine to continue to invest in all of you,” Sandoval said. “It allows you to go beyond and expand the mine to have that mine life so that all of you can have this continuous employment.”

Pruitt also announced that EPA staff members are examining their processes for approving permits, which sometimes take 20 years to approve. He said they plan to streamline processes so that EPA-approved environmental permits can be decided in six months, starting in late 2018.

“The agency that I’ve been selected to lead the last several years has been weaponized. It’s been weaponized against certain sectors of our economy, and yours was one of them.” — EPA Administrator Scott Pruitt

While in Nevada, EPA Administrator Scott Pruitt also visited the Anaconda Copper Mine near Yerington for an announcement regarding site reclamation.

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Sent: 2/6/2018 7:55:02 PM
To: GRAMALHO@sbgvtv.com
CC: Daniell, Kelsi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cd867173479344b3bda202b3004ff830-Daniell, Ke]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: FW: EPA Chief Scott Pruitt goes one-on-one with Las Vegas' News 3

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, February 6, 2018 2:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: EPA Chief Scott Pruitt goes one-on-one with Las Vegas' News 3

NEWS 3 - LAS VEGAS

Exclusive: EPA Chief Scott Pruitt Goes One-On-One With Las Vegas' News 3

Gerard Ramahlo

February 6th 2018

<http://news3lv.com/news/local/epa-chief-scott-pruitt-goes-one-on-one-with-news-3>

Chief Administrator of the Environmental Protection Agency Scott Pruitt sat down with News 3's Gerard Ramalho Tuesday morning to discuss a variety of issues, including mining regulation, climate change, the Paris Climate Accord and President Trump's desires to roll back coal regulation.

Pruitt arrived in Nevada Monday and spent time with Governor Brian Sandoval touring the Anaconda Mine in Lyon County. He also visited with miners at the Coeur Rochester Mine in Lovelock to discuss regulatory reforms to preserve jobs in the mining industry.

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Sent: 12/1/2017 9:50:54 PM
To: dan.nowicki@arizonarepublic.com
Subject: Arizona Item

You can write now and break this if you want.

Jahan

Begin forwarded message:

From: "Bowman, Liz" <[Bowman.Liz@epa.gov](mailto:Liz@epa.gov)>
Date: December 1, 2017 at 3:46:04 PM CST
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: **EMBARGOED: EPA Determines No Need for Additional Federal Requirements for Hardrock Mining Industry**

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

“After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities,” **said EPA Administrator Scott Pruitt.** “Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based.”

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities’ operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining

federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT)**.

"Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," said **Arizona Governor Doug Ducey**. "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," said **Idaho Governor Butch Otter**. "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," said **Nevada Governor Brian Sandoval**. "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," said **Jim Ogsbury, executive director of the bipartisan Western Governors' Association**. "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under

CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations.”

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:

<https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes>

###

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/1/2017 9:52:01 PM
To: srichards2@rgj.com
Subject: Nevada Related Item

Sent from my iPhone

Begin forwarded message:

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: December 1, 2017 at 3:48:30 PM CST
To: "srichards@rgj.com" <srichards@rgj.com>
Subject: Nevada Related Item

Seth you can write/break this news now if you want.

Jahan

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: December 1, 2017 at 3:46:04 PM CST
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: EMBARGOED: EPA Determines No Need for Additional Federal Requirements for Hardrock Mining Industry

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

"After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities," **said EPA Administrator Scott Pruitt.** "Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based."

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities' operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT)**. "Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," said **Arizona Governor Doug Ducey**. "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," **said Idaho Governor Butch Otter**. "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," **said Nevada Governor Brian Sandoval**. "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," **said Jim Ogsbury, executive director of the bipartisan Western Governors' Association**. "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations."

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality**.

A pre-publication version of this action may be viewed at:

<https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes>

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/1/2017 9:57:33 PM
To: valerie.volcovici@thomsonreuters.com; Richard.Valdmanis@thomsonreuters.com
Subject: Fwd: EMBARGOED: EPA Determines No Need for Additional Federal Requirements for Hardrock Mining Industry

You can break this and you can go at 5:15 PM ET if you want. Let me know I got quotes from Senators too.

Jahan

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: December 1, 2017 at 3:46:04 PM CST
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: **EMBARGOED: EPA Determines No Need for Additional Federal Requirements for Hardrock Mining Industry**

**** embargoed until 5:30 p.m. Eastern****

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

WASHINGTON – Today the U.S. Environmental Protection Agency (EPA) announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

“After careful analysis of public comments, the statutory authority, and the record for this rulemaking, EPA is confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities,” **said EPA Administrator Scott Pruitt.** “Additional financial assurance requirements are unnecessary and would impose an undue burden on this important sector of the American economy and rural America, where most of these mining jobs are based.”

EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017. EPA has decided not to issue final regulations because the risks associated with these facilities’ operations are addressed by existing federal and state programs and industry practices. EPA was under a court-ordered deadline to take final action on this rulemaking by December 1, 2017. The decision not to issue final rules under CERCLA section 108(b) will be published in Federal Register.

EPA has analyzed the need for financial responsibility requirements under CERCLA section 108(b) based on the degree and duration of risk associated with the production, transportation, treatment, storage, and disposal of hazardous substances from current hardrock mining operations as well the risk of taxpayer funded cleanups at facilities operating under modern management practices and modern environmental regulations. That risk is identified by

examining the management of hazardous substances at such facilities, as well as by examining federal and state regulatory controls on that management and federal and state financial responsibility requirements and the payment experience of the Fund in responding to such releases.

EPA concluded the degree and duration of risk associated with the modern production, transportation, treatment, storage or disposal of hazardous substances by the hardrock mining industry does not present a level of risk of taxpayer funded response actions that warrant imposition of financial responsibility requirements under CERCLA for this sector. This determination reflects EPA's interpretation of the statute, EPA's evaluation of the record for the proposed rule, and the approximately 11,000 public comments received by EPA on this rulemaking.

State mining and environmental regulators, as well as other federal agencies and the regulated community and financial sectors, commented that the proposed requirements would potentially interfere with state and local mining regulations, were unnecessary, and would be difficult to implement. This decision does not in any way affect EPA's authority to take appropriate response actions under CERCLA.

"I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses," said **U.S. Senate Western Caucus Chairman Steve Daines (R-MT)**.

"Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action."

"I am grateful for Administrator Pruitt's leadership in eliminating this costly, duplicative, and job-killing rule," said **Arizona Governor Doug Ducey**. "Arizona already has financial responsibility protections in place for hardrock mines and does not need a duplicative federal program that will unnecessarily burden a key Arizona industry."

"I am thankful that the EPA and Administrator Pruitt have decided to reject the proposed CERCLA rule," said **Idaho Governor Butch Otter**. "This is another victory for returning power to the states."

"The pending CERCLA 108(b) rulemaking has been at the top of my agenda," said **Nevada Governor Brian Sandoval**. "The success of Nevada's robust mine bonding program protects public safety and our environment and ensures our critical mining industry can operate with certainty. I applaud the EPA for their thoughtful approach and thorough review of the proposed rule, for seeking comments from a diverse set of stakeholders and ultimately, for making the right decision. Today's action by the Administrator recognizes the reality that the states have been capably regulating mine bonding without interference from Washington and should be allowed to continue to do so."

"States have developed comprehensive financial responsibility programs for hardrock mining in the 30 years since the passage of CERCLA 108(b)(1)," said **Jim Ogsbury, executive director of the bipartisan Western Governors' Association**. "These programs require operators to comply with state regulations, implement reclamation and post-closure plans, and post financial assurance to minimize risks to public health and the environment. Western Governors appreciate EPA's decision regarding its proposed financial assurance requirements under

CERCLA 108(b), which would have duplicated or supplanted existing and proven state financial assurance regulations.”

"EPA's actions to rescind the CERCLA 108(b) financial assurance rule is another positive step by EPA in eliminating redundant regulations and recognizing the importance of cooperative federalism," **said Todd Parfitt, director of Wyoming Department of Environmental Quality.**

A pre-publication version of this action may be viewed at:

<https://www.epa.gov/superfund/proposed-rule-financial-responsibility-requirements-under-cercla-section-108b-classes>

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/5/2017 7:11:04 PM
To: valerie.volcovici@thomsonreuters.com
Subject: FW: Question from Reuters

On background – without attribution – flagging that on ABC he said coal jobs and then corrected himself and said mining jobs. Given that he corrected his mistake on ABC, I don't know what the story is here but below is the transcript from ABC.

ADMINISTRATOR PRUITT: "the new york times" had an article within the last couple of days that talk about small business celebrating, euphoria, with respect to the president's decision. it's very speculative in my estimation, george, for those multinational companies to say this is going to somehow impact the exporting of green technology across the globe. what we do know, objectively, is that the paris agreement represented a \$2.5 trillion reduction in our gross domestic product over ten years. it impacted up to 400,000 jobs. it makes common sense. that when you take energy sector jobs and say, we're no longer going to produce energy in those sectors, it will affect the manufacturing base and jobs in the country. **we have had over 50,000 coal jobs, mining jobs created.**

From: valerie.volcovici@thomsonreuters.com [mailto:valerie.volcovici@thomsonreuters.com]
Sent: Monday, June 5, 2017 11:41 AM
To: Press <Press@epa.gov>; Freire, JP <Freire.JP@epa.gov>
Subject: Question from Reuters
Importance: High

Hi JP and press team,

I am hoping to get a comment from EPA about the numbers cited by Administrator Pruitt on coal jobs added since President Trump took office. Could you please let me know what the sourcing of the data is? And could you offer any comment to further clarify his remarks on Sunday talk shows?

I am on deadline for 2:00PM.

Many thanks in advance for your help,
Valerie

Valerie Volcovici
Correspondent
Reuters

Phone: [REDACTED] **Ex. 6**
Mobile/Signal: [REDACTED] **Personal Phone / Ex. 6**

1333 H Street NW
Suite 600
Washington, DC 20005
Twitter: @ValerieVolco

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/5/2017 7:14:57 PM
To: ben@axios.com
Subject: FW: Seeking citation for this comment from Administrator Pruitt

Just tried to call you.

My cell is Personal Phone / Ex. 6

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Ben Geman <ben@axios.com>
Date: June 5, 2017 at 9:06:20 AM EDT
To: "Konkus, John" <konkus.john@epa.gov>, Press <Press@epa.gov>
Subject: Seeking citation for this comment from Administrator Pruitt

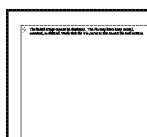
Administrator Pruitt said on Meet the Press (emphasis added):

"In fact, since fourth quarter of last year till most recently added almost 50,000 jobs in the coal sector."

Me again: Can you tell me where that stat comes from? It's attracting some criticism as you probably know.

--

Thanks,



Ben Geman
ENERGY REPORTER
ben@axios.com

Ex. 6

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/5/2017 7:27:13 PM
To: Louis Jacobson [Personal Email / Ex. 6]
Subject: RE: FW: Journalist query from PolitiFact

On background – without attribution – flagging that on ABC he said coal jobs and then corrected himself and said mining jobs.

ADMINISTRATOR PRUITT: "the new york times" had an article within the last couple of days that talk about small business celebrating, euphoria, with respect to the president's decision. it's very speculative in my estimation, george, for those multinational companies to say this is going to somehow impact the exporting of green technology across the globe. what we do know, objectively, is that the paris agreement represented a \$2.5 trillion reduction in our gross domestic product over ten years. it impacted up to 400,000 jobs. it makes common sense. that when you take energy sector jobs and say, we're no longer going to produce energy in those sectors, it will affect the manufacturing base and jobs in the country. **we have had over 50,000 coal jobs, mining jobs created.**

From: Louis Jacobson [mailto:Personal Email / Ex. 6]
Sent: Monday, June 5, 2017 3:22 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: FW: Journalist query from PolitiFact

Personal Phone / Ex. 6

On Mon, Jun 5, 2017 at 3:16 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

What is the best number to call you at Louis?

Begin forwarded message:

From: Louis Jacobson [Personal Email / Ex. 6]
Date: June 5, 2017 at 10:33:17 AM EDT
To: "Jones, Enesta" <jones.enesta@epa.gov>, "Cheung, Steven EOP/WHO"
[EOP / Ex. 6]
Subject: Journalist query from PolitiFact

Greetings,

Lou Jacobson here from PolitiFact. Hope all is well. I am cc'ing both the White House and EPA, and whoever is appropriate can get back to me.

We are looking at something that EPA Administrator Scott Pruitt said on Meet the Press on Sunday.

Since the fourth quarter of last year until most recently, we've added almost 50,000 jobs in the coal sector. In the month of May alone, almost 7,000 jobs.

I looked at the BLS data and the TOTAL number of coal mining jobs in the U.S. is about 50,000, making the first half of that claim impossible. The actual coal job increases since the start of the year and during May were 1,300 and 400 respectively, not 50,000 and 7,000 respectively.

Link: https://beta.bls.gov/dataViewer/view/timeseries/CES1021210001.jsessionid=BBDDFA68177DCF788274A16E2C44C076.tc_instance6

Even if you look at the broader "mining and logging" sector, he's incorrect. The figures would be 38,000 and 6,000, respectively -- and again, he said "coal," which is only a fraction of that total, so his wording would be misleading.

Moreover, the coal job gains during the final five months of the Obama administration were actually slightly larger than the equivalent number for the first five months of the Trump administration. (1,400 vs 1,300.)

Is there some data set I am not aware of that would make Administrator Pruitt correct? Or did he misspeak?

Thanks very much....

All best,

Lou Jacobson

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/15/2017 2:27:31 PM
To: Thomas.DiChristopher@NBCUNI.COM
Subject: FW: Press Inquiry: Pruitt, WH claims on coal jobs

Here is our on the record statement:

“Our data comes from the Bureau of Labor Statistics and we can all agree that thanks to President Trump’s policies we are creating jobs and making America great again.” – EPA spokesman, Jahan Wilcox

From: DiChristopher, Thomas (NBCUniversal) [mailto:Thomas.DiChristopher@NBCUNI.COM]
Sent: Thursday, June 15, 2017 9:09 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Press Inquiry: Pruitt, WH claims on coal jobs

Hey Jahan, here is what we found. Please let me know if EPA wants to respond.

Admin Pruitt claim: “We’ve had over 50,000 jobs since last quarter — coal jobs, mining jobs — created in this country.”

According to data provided by BLS, there were 46,700 estimated mining sector jobs created between October and May. So not since last quarter — the first quarter of 2016 -- but since the final quarter of 2017.

Admin Pruitt claim: “We had almost 7,000 mining and coal jobs created in the month of May alone.”

There were 6,600 estimated jobs created in the mining sector in May. This fell below the 7,000 rise or fall BLS would have needed to see in May to say with confidence that employment in the roughly 650,000-worker mining sector in reality. When the estimated change falls below that threshold, the BLS determines that employment in the sector was “roughly unchanged” and advises against saying the United States actually put 6,600 boots on the ground, as it is not a statistically significant change relative to the overall mining sector workforce.

Of the 6,600 estimated jobs added in May, 400 were coal mining jobs. This also fell below the BLS’s “confidence interval” — which was 700 for May. So again, it is not sound to say the coal mining sector put more boots on the ground in May.

Most of the estimated jobs gains were in support activities for the mining sector. BLS tells us that it estimates the oil and gas sector — not coal — accounted for 74 percent of those in May. This make sense in light of the U.S. drilling recovery that began last year as oil prices rose.

Our conclusion is that the administration is using preliminary estimates to claim actual jobs gains, when the people who create those estimates say one should not use those estimates to make that claim. This leads us to believe EPA staff either misunderstood the data or left out information the public needs to understand that these are estimates, not hard figures showing real job gains. Please let us know if you believe we are missing something in our interpretation of EPA’s reading of the data.

Best,
Tom

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, June 14, 2017 4:02 PM
To: DiChristopher, Thomas (NBCUniversal)
Subject: RE: Press Inquiry: Pruitt, WH claims on coal jobs

On background –

America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs.

Additional background here: <https://www.bls.gov/news.release/pdf/empst.pdf>

From: DiChristopher, Thomas (NBCUniversal) [mailto:Thomas.DiChristopher@NBCUNI.COM]
Sent: Wednesday, June 14, 2017 2:24 PM
To: Press <Press@epa.gov>; 'Hope.C.Hicks'; [REDACTED] **EOP / Ex. 6**
Subject: Press Inquiry: Pruitt, WH claims on coal jobs

We are running a story on CNBC.com on employment in the coal and mining sectors in the United States under the current administration.

Here are the quotes from Administrator Scott Pruitt we are running, from "This Week" on Sunday, June 4:

"We've had over 50,000 jobs since last quarter -- coal jobs, mining jobs -- created in this country. We had almost 7,000 mining and coal jobs created in the month of May alone."

It would appear that Administrator Pruitt is referring to the Current Employment Statistics from May, which shows an estimated increase of 6.6 thousand workers in the Mining sector.

I am not quite certain to which data he is referring for the "over 50,000" figure. The same report shows an estimated change of 32,600 in the entire Mining sector from January to May. Is he referring to a different data set or to a different period of time when he says "since last quarter"? I assume this means the January-to-March period, but he may be referring to a different window of time.

Thank you.

Tom DiChristopher
CNBC Digital
thomas.dichristopher@nbcuni.com

o: [REDACTED] **Ex. 6**
m: [REDACTED] **Personal Phone / Ex. 6**

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 7/20/2017 5:24:24 PM
To: Rick Carp [Rick.Carp@rollingstone.com]
Subject: RE: (On deadline!) Rolling Stone magazine fact-checking requests re: Scott Pruitt

Question number 4 is not accurate and the Associated Press issued a correction and a new story:

4. There are reports of Mr. Pruitt having met with Andrew Liveris of Dow Chemical at an energy conference in Houston. And then a few weeks later, the EPA announced chlorpyrifos would not be banned. This doesn't leave the best public perception re: issues like regulatory capture. Would Mr. Pruitt like to comment about this meeting, the chlorpyrifos decision, etc.?

ASSOCIATED PRESS: Correction: EPA-Dow Chemical story

<https://apnews.com/2350d7be5e24469ab445089bf663cdcb>

ASSOCIATED PRESS: EPA says Pruitt meeting with Dow Chemical head was canceled

<http://www.startribune.com/epa-says-pruitt-meeting-with-dow-chemical-head-was-canceled/431859803/>

From: Rick Carp [mailto:Rick.Carp@rollingstone.com]
Sent: Thursday, July 20, 2017 12:13 PM
To: Press <Press@epa.gov>
Subject: (On deadline!) Rolling Stone magazine fact-checking requests re: Scott Pruitt

Hi,

My name is Rick and I am checking an article about Administer Pruitt and the EPA. The reporter had tried to interview him, but didn't get any feedback. I was given a number for Mr. Lincoln Ferguson, but he didn't reply. So I was asked by our Legal Dept. to try to run these questions through EPA in general just to give him chances to comment.

Please let me know if you would like me to relay any information to the writer and editors, want to give a general "no comment," etc.

This is due at the end of the day, so if you could please get back to me by around 5 p.m., it would be greatly appreciated!!

1. Mr. Pruitt had once noted that 50,000 coal jobs had been created since the beginning of the year, which was disputed by other reporters and data from the Federal Bureau of Labor Statistics. Mr. Pruitt hasn't seemed to correct this statement. Does he want to say anything about this?
2. President Trump and Mr. Pruitt had coal miners in the Rachel Carson Room for their event re: the Clean Power Plan. This appears to be somewhat demoralizing or trolling for the environmentally-conscious types who would be employed by the EPA. Would the EPA staff or Mr. Pruitt like to comment or dispute that characterization?
3. There is a story that has been generally reported and discussed about Mr. Pruitt's old Attorney General race and his accepting of a donation from the state's powerful chicken industry. He later dropped a lawsuit that was against several chicken companies. This looks like a conflict of interest. Would Mr. Pruitt like to comment about this older event?

4. There are reports of Mr. Pruitt having met with Andrew Liveris of Dow Chemical at an energy conference in Houston. And then a few weeks later, the EPA announced chlorpyrifos would not be banned. This doesn't leave the best public perception re: issues like regulatory capture. Would Mr. Pruitt like to comment about this meeting, the chlorpyrifos decision, etc.?
5. A member from the Board of Scientific Counselors noted that she was summoned to Congress in order to testify on the importance of scientific integrity within the EPA. But she says she received a series of emails from Mr. Pruitt's chief of staff, Mr. Ryan Jackson, which asked her to stick to talking points about the dismissal of several Board members. Would Mr. Pruitt or Mr. Jackson like to comment about this? (The emails were shown on the news and reported upon already, but if they would like to reply, please let me know.)
6. Administrator Pruitt has been criticized prior, during things like his confirmation hearings, about ties to organizations like the fossil fuel industry. Does he want to give any response to these types of general critics?

And I also had a couple of generic EPA information fact-checking questions:

7. Is it accurate to say that the EPA has five regional offices and has 15,000 employees in Washington D.C.?
8. Is it accurate that Mr. Pruitt's office is located on the third floor?

That is all!

Thanks very much for your time and help.

Please let me know if I can help clarify anything or if you want me to pass along any information etc.

Thanks again for everything.

—Rick

This message is the property of Wenner Media LLC or its affiliates. It may be legally privileged and/or confidential and is intended only for the use of the addressee(s). No addressee should forward, print, copy, or otherwise reproduce this message in any manner that would allow it to be viewed by any individual not originally listed as a recipient. If the reader of this message is not the intended recipient, you are hereby notified that any unauthorized disclosure, dissemination, distribution, copying or the taking of any action in reliance on the information herein is strictly prohibited. If you have received this communication in error, please immediately notify the sender and delete this message. Thank you.

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/5/2017 3:49:37 PM
To: Justin Fox [justinfox@bloomberg.net]
CC: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Wilcox, Jahan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: RE: question from Bloomberg News

Justin – America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs.

Additional background here: <https://www.bls.gov/news.release/pdf/empsit.pdf>

Thank you,
Amy

Amy Graham

U.S. Environmental Protection Agency

Graham.amy@epa.gov

202-564-4464 (office)

Personal Phone / Ex. 6 (cell)

From: Justin Fox (BLOOMBERG/ NEWSROOM:) [mailto:justinfox@bloomberg.net]
Sent: Monday, June 5, 2017 11:22 AM
To: Press <Press@epa.gov>
Subject: question from Bloomberg News

Greetings!

I'm a columnist at Bloomberg View, Bloomberg's opinion operation, and I am probably going to be writing something today that mentions the EPA administrator's comment on TV over the weekend that the "coal sector" had "added almost 50,000 jobs" since the fourth quarter of last year. Obviously that's not true of coal mining, which employed only 51,000 people total in May. But I guess "coal sector" could be interpreted more broadly than that, so I was wondering if there was any kind of explanation for where those numbers came from.

(I sent a version of this email to Enesta Jones, but figured I should probably try the main press address too.)

All the best,

Justin Fox

Justin Fox
Bloomberg View

office +

mobile +

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 6/4/2017 8:30:04 PM
To: Bowman, Liz [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]
CC: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Re: ICYMI: Pruitt Hits Three Sunday Shows

I only see the 400,000 jobs number (is that what you meant by 40K?). If so, the 400,000 is correct and comes from the NeRa study.

Sent from my iPhone

On Jun 4, 2017, at 1:26 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Can you review the 40k number? Is that right?

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: June 4, 2017 at 1:25:22 PM EDT
To: "Konkus, John" <konkus.john@epa.gov>
Cc: "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Subject: Re: ICYMI: Pruitt Hits Three Sunday Shows

Deliberative Process / Ex. 5

Sent from my iPhone

On Jun 4, 2017, at 1:14 PM, Konkus, John <konkus.john@epa.gov> wrote:

My two cents: Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6

On Jun 4, 2017, at 1:05 PM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>
wrote:

See below:... ask Mandy about the 40K, I don't know
where that came from

Sent from my iPhone

On Jun 4, 2017, at 12:59 PM, Konkus, John
<konkus.john@epa.gov> wrote:

<image001.jpg>

In Case You Missed It

**EPA Administrator Scott Pruitt
appeared on three Sunday talk
shows this morning. Below are
the highlights.**

**EPA Administrator Scott Pruitt on
NBC's *Meet the Press* on the bright
future of American energy:**

NBC'S CHUCK TODD: "He is right that
you are making a false promise to some
of the fossil fuel industries?"

ADMINISTRATOR PRUITT: "Dead
wrong. The numbers show the exact
opposite. Since the fourth quarter of last
year to most recently added 50,000 jobs
in the coal sector. In the month of May
alone, 7,000 [mining and drilling] jobs.
Here's what's key about our power grid
in this country. You have to have fuel
diversity, Chuck. because if we go to an
all renewable, all natural gas type of
approach, if there is an attack on the
transportation network, there is only so
much natural gas that can go into that
facility to generate electricity. We need
solids stored on site to draw down upon
for threats to our grid. Fuel diversity,
stability, consistency is key to the
manufacturing base. It's also key to
keeping costs low. Our price per kilowatt
is far less in Germany, far less than
what it is in Europe. We need to keep
that approach."

Administrator Pruitt on ABC's *This Week* on the "euphoric" response to the President's decision on the Paris Agreement from the small business community:

ADMINISTRATOR PRUITT: "Well, when you look at, even the 'New York Times' had an article, I think, within the last couple of days that talked about small business celebrating, euphoria, with respect to the president's decision. I mean, it's very speculative in my estimation, George, for those multinational companies to say this is going to somehow impact the exporting of green technology across the globe. What we do know, what we do know objectively, is that the Paris agreement represented a \$2.5 trillion reduction in our Gross Domestic Product over ten years. What we do know, is that it impacted up to 400,000 jobs as well. And so this is something that was bad for our country, this makes common sense. That when you take energy sector jobs and say, 'we're no longer going to produce energy in those sectors' it is going to impact the manufacturing base and the energy jobs in this country. We've had [about] 50,000 jobs since last quarter. Coal jobs, mining jobs, created in this country. We've had almost 7,000 [mining and drilling, including coal jobs] created in the month of May alone. The unemployment rate is 4.3% as you know, George. This president's deregulation agenda, particularly in the energy space, is making a substantial impact on the jobs across this country and giving people hope. And I will say this to you, it's also rejecting the previous administration's view that you can't grow jobs and protect the environment, because as I indicated earlier, we have reduced our CO2 footprint with action, from 2000 to 2014 by over 18% through innovation and technology."

Administrator Pruitt on Fox's *Fox News Sunday* on the President's regulation philosophy:

ADMINISTRATOR PRUITT: "This President has said we truly need an all above approach. We should not penalize sectors of our economy, Chris. Government regulation shouldn't be used to pick winners and losers. The

past administration declared a war on coal and there were several coal facilities across this country shut down because of their past efforts. That is not what government regulation should be about. Government regulation should be about making things regular, not picking winners and losers and making sure we have fuel diversity in generating electricity in this country. And as I indicated the job numbers show already, already, that this President's deregulatory agenda, his leadership in the energy space is making a difference for jobs across this country, almost 50,000."

###

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/5/2017 10:55:55 PM
To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]
Subject: Re: coal job claim - clarification?

For background, Administrator Pruitt meant to say there were almost 50,000 **mining** jobs (which of course includes coal).

For attribution:

"America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs."

Thank you - Liz

from my iPhone

On Jun 5, 2017, at 6:36 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

That link isn't working?

From: Jennifer A. Dlouhy (BLOOMBERG/ WASHINGTON) [<mailto:jdlouhy1@bloomberg.net>]
Sent: Monday, June 5, 2017 3:46 PM
To: Press <Press@epa.gov>
Subject: coal job claim - clarification?

Greetings, EPA!

A colleague is running a chart on coal jobs.

Can you send me anything you're pushing out clarifying the Administrator's comments about an increase in coal jobs by 50,000 since the President has been in office?

It looks like Amy Graham sent out a clarification (on request) suggesting the Administrator intended to cite increased mining jobs instead. Can you share this with me?

Thanks,
Jen.

.....

.....

Jennifer A. Dlouhy
jdlouhy1@bloomberg.net / jendlouhyenergy@gmail.com
reporterjen@protonmail.com
Desk: **Ex. 6**
Cell/Text/Signal: **Personal Phone / Ex. 6**
Twitter: @jendlouhyhc
Stories: <http://bloom.bg/23Crpvk>

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 7/6/2017 6:56:59 PM
To: Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]

G20 – Climate and Energy

Thank you. The United States believes that responsible economic development and environmental stewardship are essential priorities for all nations. Indeed, these goals are complementary.

Nations that drive scientific breakthroughs help us protect the environment while reducing global poverty.

The United States develops all of our domestic energy resources, including oil, clean coal, natural gas, nuclear power, and renewables, while at the same time consistently reducing emissions, protecting natural habitats, and ensuring truly clean air and clean water.

U.S. natural gas exports will expand this leadership role by fueling economic growth, making possible an even cleaner environment, and increasing the security of energy supplies around the world.

We support universal access to affordable and reliable energy from all sources because it will help lift millions of people out of poverty. That is why we support financing and development of fossil fuel infrastructure in developing countries.

We respect the right of every sovereign nation to develop its own policies that both protect its environment and its economy. Like each of you, my first and most important obligation is to the citizens of my country.

Energy security is the foundation of our economic security, and fossil fuels, including coal and natural gas, will continue to play a major role in driving our economies.

America believes climate policy must be rational, supported by sound science, and it must allow the economies of the world to thrive. We remain open to continued engagement either by renegotiating the Paris Agreement or advancing a much better environmental agreement – but any such agreement must be FAIR to the United States, distribute burdens EQUALLY among nations, INCREASE rather than DESTROY American Jobs, ADVANCE energy security by developing and using ALL energy sources from coal, natural gas to renewables, and make it EASIER not HARDER to provide energy for our people, and very importantly, it must PROTECT our sovereignty and domestic freedoms.

The United States has been a global leader in reducing emissions. Our energy-related CO2 emissions are 14% below 2005 levels and continue to fall. We have led by example in demonstrating that market forces and technology-driven solutions are the most effective means of protecting the environment while fueling economic growth.

The United States looks forward to working with other G20 nations to make sure all people have economic opportunities, abundant and reliable energy, a path out of poverty, and a clean environment.

Thank you.

Sent from my iPad

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 6/5/2017 11:17:23 PM
To: Graham, Amy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26722dfde5b34925b0ad9a8dd4aff308-Graham, Amy]
Subject: Re: Coal vs solar jobs

What's important is energy output. Yes it's true that the solar and wind industries have experienced significant growth. But even with recent growth, in 2015, wind and solar provided less than 5 percent of total electricity used throughout the US. Coal, and associated jobs, provide over 30% of total electricity used.

This is from EIA.gov

Amy, what's your direct?

Sent from my iPhone

> On Jun 5, 2017, at 7:03 PM, Graham, Amy <graham.amy@epa.gov> wrote:

>

> Hey Mandy - do you have stats to push back on the "there are more solar than coal jobs" argument? Aren't coal jobs significantly higher paying?

>

> Sent from my iPhone

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/5/2017 3:49:37 PM
To: Justin Fox [justinfox@bloomberg.net]
CC: Liz Bowman (Bowman.Liz@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Jahan Wilcox (wilcox.jahan@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: RE: question from Bloomberg News

Justin – America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs.

Additional background here: <https://www.bls.gov/news.release/pdf/empsit.pdf>

Thank you,
Amy

Amy Graham

U.S. Environmental Protection Agency

Graham.amy@epa.gov

202-564-4464 (office)

Personal Phone / Ex. 6 (cell)

From: Justin Fox (BLOOMBERG/ NEWSROOM:) [mailto:justinfox@bloomberg.net]
Sent: Monday, June 5, 2017 11:22 AM
To: Press <Press@epa.gov>
Subject: question from Bloomberg News

Greetings!

I'm a columnist at Bloomberg View, Bloomberg's opinion operation, and I am probably going to be writing something today that mentions the EPA administrator's comment on TV over the weekend that the "coal sector" had "added almost 50,000 jobs" since the fourth quarter of last year. Obviously that's not true of coal mining, which employed only 51,000 people total in May. But I guess "coal sector" could be interpreted more broadly than that, so I was wondering if there was any kind of explanation for where those numbers came from.

(I sent a version of this email to Enesta Jones, but figured I should probably try the main press address too.)

All the best,

Justin Fox

Justin Fox
Bloomberg View

office + [Ex. 6]

mobile + [Personal Phone / Ex. 6]

Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 6/5/2017 5:29:22 PM
To: Niina Heikkinen [nheikkinen@eenews.net]
CC: Liz Bowman (Bowman.Liz@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c3d4d94d3e4b4b1f80904056703ebc80-Bowman, Eli]; Jahan Wilcox (wilcox.jahan@epa.gov) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=88fd588e97d3405d869bcae98d391984-Wilcox, Jah]; Ferguson, Lincoln [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=08cd7f82606244de96b61b96681c46de-Ferguson, L]
Subject: RE: Administrator Pruitt's comments on coal jobs

Niina – America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs.

Additional background here: <https://www.bls.gov/news.release/pdf/empisit.pdf>

Thank you,
Amy

Amy Graham
U.S. Environmental Protection Agency
Graham.amy@epa.gov
202-564-4464 (office)
Personal Phone / Ex. 6 (cell)

From: Niina Heikkinen [mailto:nheikkinen@eenews.net]
Sent: Monday, June 5, 2017 12:39 PM
To: Press <Press@epa.gov>
Subject: Administrator Pruitt's comments on coal jobs

Hi folks,

On the Sunday shows Administrator Pruitt repeated a statistic about coal job increases and I was hoping you could help me figure out where those numbers are coming from since the jobs data from the coal industry I have seen doesn't match. However I'm not a coal reporter so I'd really appreciate your help in tracking down some data sources.

On one of the shows he said:

"We've had over 50,000 jobs since last quarter -- coal jobs, mining jobs -- created in this country. We had almost 7,000 mining and coal jobs created in the month of May alone."

It sounds like Pruitt means the country has added 50,000 coal jobs since the end of last year. IS that what he meant?

If you could let me know soon on this, my deadline is 5 pm Eastern.

Also I would like to request an interview with Mr. Pruitt to talk about the process of how he got to this victory. I understand he has used an economic argument but I would really like to know how it all happened and what specifically the president seemed to find most persuasive.

We are working on an overview story to run on Friday, I'd like to set something up for Wednesday or Thursday.

Thanks,

Niina Heikkinen

E&E News reporter

Ex. 6 (w)

Personal Phone / Ex. 6 (c)

@nhheikkinen

Skype: niina.h.heikkinen

From: Graham, Amy [graham.amy@epa.gov]
Sent: 5/3/2017 1:13:58 PM
To: Hupp, Sydney [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d50089ff1a5b4c83baa0160afe2c33cb-Hupp, Sydne]
Subject: One more thing to print

PostPartisanOpinion

Richard Branson on Trump's coal plans: 'I can't think of anything more stupid'

By Jonathan Capehart

May 2 at 9:35 AM

Loaded in 1.72 seconds

Branson: United States shouldn't be reliant on coal

Play Video2:45

Branson talks about a revolution of new jobs for bringing clean energy to America. He says that bringing coal jobs back is not the best way for a sustainable and clean environment. (Washington Post Live)

"I can't think of anything more stupid than to talk about bringing coal back."

Sir Richard Branson didn't mince words when I asked him about promises made during the presidential campaign to bring coal jobs back. Our conversation was part of Washington Post Live's CEO Series Executive Actions held on April 28 that we turned into the latest episode of "Cape Up."


LISTEN HERE

For more conversations like this, subscribe to "Cape UP" on Apple Podcasts or Stitcher.

None of what the British billionaire said should have come as a surprise. Branson, in town for the climate march on April 29, is an advocate of renewable energy and among those trying to figure out how to slow the rate of planet-killing climate change. When I asked him why the research of climate scientists doesn't get through to skeptics in Washington, Branson said to knowing laughter, "Well, it seems to be unique to America, the climate skeptic. As Americans, you've got quite a few things unique about you at the moment, but climate change is one of those things."

Keep Reading

There is hardly an issue Branson doesn't care about. Carbon in the atmosphere? "We set up the Virgin Earth prize, a \$25 million prize, to see if anybody could come up with a way of extracting carbon out of the earth's atmosphere," he said.



People march from the Capitol to the White House for the People's Climate Movement to protest President Trump's environmental policies on April 29. (Astrid Riecken/Getty Images)

Air travel? "It's a lot more fun running an airline that has people who smile and are friendly to their passengers, rather than the reverse," Branson said when I asked him about what happened with United Airlines. He also got into why Virgin America was sold to Alaska Airlines.

Space travel? "Space can play, and already has played, a massive, positive role back here on Earth," Branson said as he talked about Virgin Galactic's efforts to initiate civilian space travel. But he wouldn't commit to a timeline. "I've made the mistake of giving dates before and being wrong," he joked.

Branson also cares about criminal-justice reform, the war on drugs, the death penalty and gay rights. But there is one issue he said he didn't care about. "I try not to care about Trump's first 100 days," he said.

Listen to the podcast to hear the full conversation. But watch this video to see what happens before Branson answers my first question.

Today's Headlines newsletter
The day's most important stories.

Sign up

Branson so hates ties that he is known for taking scissors to the ties of unsuspecting interviewers. "You've got a very nice tie so I think," he said to laughter and applause, "we'll spare you."

"Cape Up" is Jonathan's weekly podcast talking to key figures behind the news and our culture. Subscribe on Apple Podcasts, Stitcher or wherever else you listen to podcasts.

Jonathan Capehart is a member of the Post editorial board and writes for the PostPartisan blog. Subscribe to his podcast Cape UP, available on iTunes and Stitcher. Follow @capehartj

600+ Comments

The Post Recommends

- **An SNL star made an awkward Hillary joke at a luncheon. Chelsea Clinton went high.**



Vanessa Bayer took a small jab at Hillary Clinton's failed candidacy in her opening monologue at the event.

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 6/7/2018 4:28:37 PM
To: Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]
Subject: Fwd: Morning Energy: Another mess for Pruitt — Virgin Islands party boss: Zinke ties improved hurricane response — Coal magnate delivered draft orders to Trump

Can you figure out who we talk to?

Sent from my iPhone

Begin forwarded message:

From: "Jackson, Ryan" <jackson.ryan@epa.gov>
Date: June 7, 2018 at 11:44:07 AM EDT
To: "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>
Cc: "Lyons, Troy" <lyons.troy@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>
Subject: RE: Morning Energy: Another mess for Pruitt — Virgin Islands party boss: Zinke ties improved hurricane response — Coal magnate delivered draft orders to Trump

This is funny, but no we didn't cancel Fox News. You may want to get your TV tech to reprogram it or something like that. You know how stuff works in this place. One day it works, the next day the whole office is gone.

From: Gunasekara, Mandy
Sent: Thursday, June 7, 2018 8:41 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Lyons, Troy <lyons.troy@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Subject: Re: Morning Energy: Another mess for Pruitt — Virgin Islands party boss: Zinke ties improved hurricane response — Coal magnate delivered draft orders to Trump

Personal Matters / Ex. 6

I have an important question- RJ, did you cancel a subscription to Fox News for epa? It's suddenly no longer available on my work TV. Seriously, though, it's no longer available and this is an issue. Only CNN and MSNBC come though and I can only handle so much #fakenews in one day.

Sent from my iPhone

On Jun 7, 2018, at 6:12 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Troy, we can get free sandwich coupons this morning if we hurry.

Ryan Jackson

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: June 7, 2018 at 5:43:57 AM EDT
To: <jackson.ryan@epa.gov>
Subject: Morning Energy: Another mess for Pruitt — Virgin Islands party boss: Zinke ties improved hurricane response — Coal magnate delivered draft orders to Trump
Reply-To: "POLITICO subscriptions" <reply-fe8913757762017a73-630326_HTML-786581600-1376319-0@politicoemail.com>

By Kelsey Tamborrino | 06/07/2018 05:41 AM EDT

With help from Darius Dixon, Anthony Adragna and Annie Snider

ANOTHER MESS FOR PRUITT: Scott Pruitt has an appetite for food from the White House mess — a U.S. Navy-run restaurant for use only by White House officials, Cabinet members and other dignitaries. In fact, he loves eating there so much, the White House asked him to stop coming by so often, POLITICO's Emily Holden, Andrew Restuccia and Anthony Adragna report.

The message was clear, according to one person close to Pruitt: "We love having Mr. Pruitt, but it's not meant for everyday use." A member of the White House's Cabinet affairs team told agency chiefs of staff last year that their bosses shouldn't treat the mess like their personal dining hall — a comment that came in response to Pruitt's recurring use of the restaurant, sources said.

Pruitt's allies privately disputed that the warning about overuse of the mess was aimed squarely at him, but nobody contests that he's a frequent presence at the establishment in the basement of the West Wing. The White House did not respond when asked about his lunch habits, and EPA declined to comment.

A billing statement from July 2017 offered a glimpse into Pruitt's trips to the mess, racking up a bill of \$400 over nine trips that month — a relative bargain in downtown Washington considering the menu. A cheeseburger at the White House runs just \$6.35, according to Pruitt's bill. Compare that to the \$17 you'd pay for a burger from another favorite Pruitt spot, French bistro Le Diplomate. Read more.

Support for Pruitt is also falling on Capitol Hill, Anthony and Emily report, in the wake of this week's news that Pruitt sought to buy a used mattress from the Trump Hotel and inquired about securing a Chick-fil-A franchise for his wife. Two more top aides

to Pruitt — scheduler Millan Hupp and counsel Sarah Greenwalt — also are leaving the agency. "I'm not going to come down here, just because he happens to be a nominee of a president I support or a nominee from my party, and try to defend the indefensible," Sen. John Neely Kennedy said. [More here](#).

On the other hand, [Cory Gardner](#), who heads the Senate GOP campaign arm, told reporters he doesn't think Pruitt's ongoing ethics woes will harm his party in the midterms. "The states like Missouri, Indiana, North Dakota have benefited from a regulatory approach this administration has taken," Gardner said.

Environmentalists' "[Boot Pruitt](#)" campaign will gather a "group of cows" outside the Capitol South Metro station today from 8 a.m. to 9:15 a.m. to hand out fake Chick-fil-A coupons for a free chicken sandwich with a donation to Pruitt's legal defense fund. They'll hold signs reading: "Breeth Mor Carbun" and "What the Cluck, Pruitt?"

VIRGIN ISLANDS BOSS PLAYS UP ZINKE

RELATIONSHIP: The head of the Virgin Islands Republican Party suggested his fundraising group's longstanding relationship with Interior Secretary Ryan Zinke helped improve the department's response to last year's hurricanes that struck the island territory, Pro's Ben Lefebvre reports. John Canegata said he had direct access to Interior officials after the storm thanks to money his group raised for Zinke when he was a member of Congress.

Calling Zinke a "close friend," Canegata boasted of his connections in a televised [appearance](#) that aired in the Virgin Islands last month but has not received widespread attention outside of the territory. While numerous officials played a role in helping the islands recover from hurricanes Maria and Irma, "behind the scenes, trust me, a lot of telephone calls, a lot of maneuvering was going on because, I think, some of the relationships we built," Canegata said of Zinke.

Interior acknowledged that officials contacted Canegata after the hurricanes but said they did so as part of a wider effort to contact business leaders based in the territory and Zinke did not call him personally. Canegata works for Cruzan Rum, but a company representative told Ben he was not involved in coordinating its relief efforts. Interior expedited the reimbursement of taxes on Virgin Islands rum following the storms, but it was unclear whether Canegata influenced that decision; he did not respond to a request for comment.

For his part, Zinke has known Canegata since at least 2015, Ben reports. The secretary previously came under fire for a [fundraiser](#) for the VIGOP, as the group is known, during an official trip to the islands in his first month in President Donald Trump's Cabinet. Read [more](#).

IT'S THURSDAY! I'm your host Kelsey Tamborrino. NRECA's Dan Riedinger correctly identified John Tyler as the only president to have not been a resident of the U.S. when he died. Tyler resided in Virginia at the time, which was part of the Confederate States of America. Today's question: Which Congress had the largest number of veterans in office? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter [@kelseytam](https://twitter.com/kelseytam), [@Morning_Energy](https://twitter.com/Morning_Energy) and [@POLITICOPro](https://twitter.com/POLITICOPro).

POLITICO convened leading thinkers and policymakers to look closely at the financial well-being of future American retirees. Explore the latest [issue of The Agenda](#) to dig more into this important topic and download the [Working Group Report](#) to see what potential solutions are being proposed to solve the country's retirement puzzle. *Presented by Prudential*

Join the [Global Public Affairs Club](#), a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices**. In addition, members have access to the [Global Public Affairs Forum on Sept. 28 in Paris](#). For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

MURRAY DELIVERED EXECUTIVE ORDERS TO TRUMP: Coal magnate Bob Murray handed off drafts of six executive orders that would roll back Obama-era environmental regulations to Trump during the beginning of his administration, according to [documents](#) from DOE released under FOIA. The documents include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, and included a note where Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

While Trump did not sign those exact orders, the administration has moved to enact similar policies, Pro's Darius Dixon reports. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray [met](#) with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing. [Read more.](#)

BAILOUT ON HIS MIND: In private remarks given during his visit to FEMA headquarters Wednesday, Trump mentioned a slew of topics that had nothing to do with hurricanes, The Washington

Post reports, while only briefly mentioning Puerto Rico. Trump instead encouraged Perry to make an announcement about rescuing economically struggling coal and nuclear power plants, the Post reports. "I'd love to put it out — 'clean coal, nuclear,' it's a very important message," he said, telling Perry he needed to hold a news conference.

WRDA MOVES AHEAD: The House passed the Water Resources Development Act of 2018 (H.R. 8 (115)) last night, marking the first major piece of infrastructure legislation to move under the Trump administration, Pro's Annie Snider reports. Lawmakers signed off on the measure on a broadly bipartisan vote of 408-2. The bill — markedly narrower than the Senate's measure — would authorize six new Army Corps of Engineers projects and enact a suite of policy reforms at the red tape-laden agency.

What about the Senate? For those wondering, EPW Chairman John Barrasso told ME he'd not yet locked down a time for the Senate to consider its broader version of the water resources infrastructure legislation. Separately, Sen. Tammy Baldwin sent this letter to Trump, calling on him to urge Congress to include a permanent Buy America provision in the legislation.

MUM'S THE WORD: Barrasso, whose state produces a lot of coal and uranium, told ME he isn't ready to back Trump's proposed bailout for coal and nuclear power plants. "I've read the article but I want to actually see what the proposal is," he said. DOE is still formulating the details of how it would intervene to save the struggling plants.

RESCISSIONS VOTE TODAY: The House is set to vote today on Trump's \$15 billion rescissions bill, Pro's Sarah Ferris reports. The House Rules Committee teed up the bill, H.R. 3 (115), on Wednesday, a quick turnaround that surprised even some GOP lawmakers.

ALL ABOARD: After the rescissions package, the House is ready to start debate on its "minibus" appropriations package, which includes energy and water, legislative branch and military construction-VA spending bills, Pro's Kaitlyn Burton reports. The Rules Committee has set up floor votes on 50 amendments to the energy and water title. A final vote on the overall bill is expected Friday.

SHIMKUS SPEAKS: Rep. John Shimkus, one of the most ardent Yucca Mountain champions in Congress, said his loud floor dispute with Paul Ryan on Tuesday was simply a dispute over "strategy going forward." Other members suggested it had to do with the timing of the Energy-Water bill, since Shimkus thinks delaying until after the midterms might allow Yucca language to make it into the title. The Senate has avoided tackling Yucca due to Sen. Dean Heller's close reelection contest.

POWER OF THE PEN: The House Appropriations Committee agreed to bar EPA from spending more than \$50 on a fountain pen. The amendment — an apparent reference to the \$1,560 Pruitt spent on a dozen fancy writing implements — passed on a voice vote at Wednesday's markup. The panel cleared its version of the fiscal 2019 EPA-Interior bill, on a vote of 25-20. Committee Republicans blocked an effort from Democrats to boost EPA's Office of Inspector General by \$12 million, but approved an amendment that would change revenue sharing for drilling in the Arctic National Wildlife Refuge. And while the pen amendment passed, the committee shot down another amendment from Democratic Rep. Mike Quigley related to Pruitt's travel.

MEETING WITH A FULL DECK: The last time the leadership of FERC and the Nuclear Regulatory Commission got together, there were just enough commissioners between the two agencies to fill one five-member board. Fast-forward to today, and it's a full house for the first time in years thanks to confirmation of two new NRC leaders last month. The get-together is slated to run for just over two hours. An agenda hasn't been released but the meetings usually involve staff presentations on grid reliability — and how it might be impacted by the retirement of nuclear plants — and cybersecurity regulations. Finding the areas where an economic regulator overlaps with a safety watchdog isn't always obvious. The meeting is slated to run from 9 a.m. to 11:15 a.m. at FERC headquarters, and will be webcast.

ROYALTY RUMPUS: Interior's Royalty Policy Committee approved recommendations Wednesday aimed at expanding energy lease sales and lowering royalty rates, Ben recaps. But during the advisory committee's meeting, two members questioned whether it had the power to suggest changes to federal environmental review. "NEPA is not referred to in the [committee] charter," Rod Eggert, a professor at the Colorado School of Mines, said during the meeting. "The text in the charter refers to royalties and collections of royalties." Read more here.

Later Wednesday, BLM sent out a memo instructing field offices to look for ways to speed up permit processing, including by using categorical exclusions, Ben reports.

— **Meanwhile, the Central Arizona Project will meet today** on proposals for sourcing cheaper power to run the Navajo Generating Station. The Bureau of Land Reclamation last week sought to delay the coal-fired power plant's closure, arguing that a 1968 law gives Zinke the authority to require the Arizona water project buy energy from the power plant. Reuters has the rundown here.

GROUPS WARY OF INTERIOR DRAFT BILL: A coalition of sportsmen's groups is concerned about draft legislation that appeared before the House Natural Resources Energy Subcommittee on Wednesday. According to the draft bill, it would

enable Interior to recover the costs of administrative protests to oil and gas lease sales, drilling permits and other applications. The bill, they say, would make it more difficult for sportsmen and women to comment on oil and gas lease sales on public land.

BLANKENSHIP IS BACK: Former coal baron Don Blankenship hasn't given up hope to take on the establishment and earn himself a spot in the Senate. After losing a primary bid to West Virginia Attorney General Patrick Morrisey, Blankenship's campaign announced Wednesday it is petitioning to gain ballot access for the general election as the nominee for the Constitution Party.

BIPARTISAN LETTER ASKS PRUITT TO DROP 'SECRET SCIENCE': More than 100 lawmakers — including Republican Reps. Brian Fitzpatrick, Carlos Curbelo, Ryan Costello and Ileana Ros-Lehtinen — signed onto a letter to Pruitt today, asking him to withdraw EPA's so-called secret science proposal to bar EPA from using studies that don't make public all their data. Read the letter here.

DEMS WARN AGAINST E15: Democratic Sens. Tom Udall and Peter Welch are calling on EPA to abide "by all legal and regulatory requirements" as the Trump administration weighs the year-round sale of 15 percent ethanol blends of gasoline. "We are very concerned that career EPA officials may be being directed to reverse over 25 years of the agency's position to manufacture legal and scientific justifications for a politically-directed decision on E15," they write. Read the letter.

MAIL CALL! RELEASE THE STUDY: A coalition of environmental groups will send this letter today to HHS Secretary Alex Azar, calling on him to release the controversial federal chemical pollution study blocked by EPA officials.

— **Nineteen environmental groups filed a letter** to the House in opposition of H.R. 5895 (115), the so-called minibus, which they say sets up an improper use of water and natural resources, and undermines safe nuclear waste disposal. Read it here.

FOR YOUR RADAR: The International Wildlife Conservation Council, which came under fire for the big-game trophy hunters added to its ranks, will hold its next meeting June 19 in Atlanta, according to the Federal Register.

ON THE WEB: The Center for American Progress is launching a new website today that is dedicated to tracking legal challenges to the Trump administration's conservation agenda. See it here.

QUICK HITS

— The heat is back on high: May smashes U.S. temperature records, Associated Press.

— Man dies at Randolph County mine, Charleston Gazette-Mail.

— Hurricanes are traveling more slowly — which makes them even more dangerous, The Washington Post.

— Trump falsely claims "We're now exporting energy for the first time," The New York Times.

— Trump's move to please farmers on biofuels reform draws refinery union ire, Reuters.

HAPPENING TODAY

8:00 a.m. — Exchange Monitor holds Decommissioning Strategy Forum, Nashville

8:30 a.m. — New Energy Update holds U.S. Offshore Wind conference, Boston

9:00 a.m. — The Atlantic Council and the American Council on Renewable Energy discussion on "The State of America's Energy Transition: Renewable Energy Policy Network for the 21st Century Renewable Global Status Report," 1030 15th Street NW

9:00 a.m. — Industry Exchange holds Mexico Gas Summit, San Antonio, Texas

9:00 a.m. — The Federal Energy Regulatory Commission and the Nuclear Regulatory Commission joint meeting, 888 First Street NE

11:00 a.m. — House Energy and Commerce Committee hearing on "Improving the Hydropower Licensing Process," 2123 Rayburn

11:00 a.m. — House Transportation Coast Guard and Maritime Transportation Subcommittee hearing on "Maritime Transportation in the Arctic: The U.S. Role," 2167 Rayburn

12:00 p.m. — Hill briefing on "The Export Subsidy RIN: A Valueless Dead End," 608 Dirksen

12:30 p.m. — Women of Renewable Industries and Sustainable Energy lunch and learn, 1501 M St NW

1:00 p.m. — House Science Energy Subcommittee hearing on the electric grid, 2318 Rayburn

2:00 p.m. — House Natural Resources Oversight Subcommittee hearing on "Wildfire Risk, Forest Health, and Associated Management Priorities of the U.S. Forest Service," 1324 Longworth

THAT'S ALL FOR ME!

To view online:

<https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/another-mess-for-pruitt-244517>

Stories from POLITICO Pro

Another mess for Pruitt: Overstaying his White House welcome at lunch [Back](#)

By Emily Holden, Andrew Restuccia and Anthony Adragna |
06/06/2018 10:17 PM EDT

EPA Administrator Scott Pruitt loves eating at the White House mess, an exclusive U.S. Navy-run restaurant open only to White House officials, Cabinet members and other dignitaries.

But apparently he liked it too much, and the White House asked him to please eat elsewhere sometimes.

In response to Pruitt's recurring use of the restaurant next to the Situation Room in the basement of the West Wing, a member of the White House's Cabinet affairs team told agency chiefs of staff in a meeting last year that Cabinet members shouldn't treat the mess as their personal dining hall, according to three people with knowledge of the issue.

The message was clear, according to one person close to Pruitt: "We love having Mr. Pruitt, but it's not meant for everyday use." Another person added that the White House asked Cabinet members to visit the mess only occasionally because there are few tables available.

A renovation to update the West Wing HVAC last August included the mess kitchen and may have limited space, one person said. The renovation came shortly after the president tapped John Kelly as chief of staff, and he implemented several day-to-day changes to bring order to the White House.

The White House did not respond to a request for comment and EPA declined to comment. Pruitt's allies privately disputed that the warning about overuse of the mess was aimed squarely at him, but nobody contests that he's a frequent presence at the White House for lunch.

Pruitt has been known to complain that EPA headquarters has no cafeteria of its own and no private dining quarters, according to multiple sources, who said Pruitt still often heads to the White House for lunch. One source said EPA officials called the White House to explain that Pruitt didn't have a place to eat at EPA and

would like to continue to visit. Pruitt's EPA office is only a few blocks up Pennsylvania Avenue from the White House.

A billing statement from July 2017 offered a glimpse into Pruitt's use of the mess, showing the EPA chief or people linked to him dined at the mess at least nine times that month, racking up a bill of \$400, a relative bargain in downtown Washington. Pruitt and his guests dined on dishes like "cowboy" skirt steak, popcorn chicken and waffles, spinach strawberry salad and beer-braised brisket tacos.

While the food is considered to be top-notch, the prices are a real bargain. Skirt steak runs just \$10.25, while coriander beef kabobs were just \$11.95 each. And a cheeseburger runs just \$6.35, according to his bill. The burger at another of Pruitt's haunts, French bistro Le Diplomate, runs \$17.

Records obtained through a Sierra Club Freedom of Information Act request also show Pruitt often sought to bring friends from Oklahoma to the White House mess.

Five friends from Tulsa — Charlie Polston, Carlyn Mattox, David Mattox, Bob Wagoner and Jerry Dillon — were invited for a September lunch there with him, though it didn't appear in Pruitt's detailed calendar obtained through FOIA.

That lunch came just two weeks after Pruitt made a lunch date there with Bob Funk, a wealthy Oklahoma Republican with whom he bought a major stake in the minor league Oklahoma City RedHawks baseball team back in 2003.

"Please have Mr. Funk arrive at EPA building at 11:40am to ride with Administrator Pruitt to the WH," Lincoln Ferguson, a senior adviser for public affairs, wrote in an email. There was no entry in Pruitt's calendar for the time when the lunch was to have taken place.

Calendars from Pruitt's senior aides show he made frequent use of the space in the month following his February 2017 Senate confirmation. He dined there on Feb. 27, March 2 and met with Ivanka Trump, the president's daughter and West Wing adviser, on March 13. Chief of staff Ryan Jackson's calendar also lists a lunch in the "Mess" on March 16.

Pruitt also hosted representatives from the Oklahoma Farm Bureau on March 29, according to Jackson's calendar. And he returned for lunch with Mike Catanzaro, a senior White House energy aide, and several senior aides on April 7.

Pruitt and his guests also seemed to have a sweet tooth, partaking of a dessert called "Chocolate Freedom" on multiple occasions. As POLITICO reported in January 2017, the dish — a molten cake

made with imported French chocolate that must be ordered at the beginning of lunch because of the baking time — was also popular among Obama administration staffers on their way out the door.

Chocolate Freedom has garnered rave reviews online, and once prompted comedian Zach Galifianakis to ask whether it was also the staff's nickname for former President Barack Obama.

Also available to diners: boxes of red, white and blue M&Ms featuring the presidential seal.

Alex Guillén contributed to this report.

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Pruitt wanted to buy 'old mattress' from Trump International Hotel Back

By Anthony Adragna | 06/04/2018 10:43 AM EDT

Two senior House Oversight Democrats are demanding Chairman Trey Gowdy (R-S.C.) subpoena Scott Pruitt for documents after one of his closest aides told congressional investigators the EPA administrator had her book a personal flight to the Rose Bowl, search for housing for him and try to buy him an "old mattress" from the Trump International Hotel.

Ranking member Elijah Cummings (D-Md.) and Gerry Connolly (D-Va.) demanded that Gowdy compel Pruitt to turn over all documents related to the potential mattress purchase, efforts to secure personal flights, and work that agency employees performed on non-EPA tasks for Pruitt that have been withheld from an earlier April Democratic request. That followed a May 18 transcribed interview with Millan Hupp, Pruitt's scheduler.

"If Ms. Hupp's statements to the Committee are accurate, Administrator Pruitt crossed a very clear line and must be held accountable," they wrote. "Federal ethics laws prohibit Administrator Pruitt from using his official position for personal gain and from requesting and accepting services from a subordinate employee that are not part of that employee's official duties."

As part of its investigation into Pruitt, the Oversight Committee said it has conducted several transcribed interviews and obtained 2,350 pages of documents, and a spokeswoman criticized the release of Hupp's testimony.

"Selectively releasing portions of witness interview transcripts damages the credibility of our investigation and discourages future witnesses from coming forward. The Committee will continue conducting a serious, fact-driven investigation, and therefore will wait until the conclusion of our investigation to release our findings," committee spokeswoman Amanda Gonzalez said in a statement.

White House Press Secretary Sarah Huckabee Sanders said Monday the administration is "looking into" the issues in the Democrats' letter, but didn't outline any more specific steps.

"I couldn't comment on the specifics of the furniture use in his apartment and certainly would not attempt to," she said, referring to Pruitt's interest in the mattress.

According to the Democrats' letter, Hupp told Oversight staff she worked with the managing director of the Trump International Hotel in hopes of securing an old mattress. She said Pruitt had told her someone at the hotel indicated he could purchase the mattress, though she did not know why he wished to do so and did not know if he ultimately bought it.

In addition, Hupp said she sent several emails to real estate agents over a period of several months last summer during work hours to help Pruitt find housing after he verbally asked for her help. She said she visited a "probably more than 10" properties during her lunch hour over the course of several months. Hupp said she didn't use work email for the searches and was not paid for her efforts.

Pruitt and his wife ultimately settled on an apartment on 13th and U streets, but left it shortly afterwards because "they were not comfortable in the area," according to Hupp.

Democratic lawmakers have honed in on Pruitt's admission during a May 16 Senate subcommittee hearing that Hupp had searched for housing for him without pay on her own personal time.

"It doesn't cut it that they're a friend or that kind of thing," Sen. Tom Udall (D-N.M.) told Pruitt at the hearing, because having a subordinate staff member voluntarily conduct tasks on personal time would constitute a gift.

"That's in violation of federal law," Udall told Pruitt.

An EPA spokesman said the agency continued to give the information it was seeking.

"We are working diligently with Chairman Gowdy and are in full cooperation in providing the Committee with the necessary documents, travel vouchers, receipts and witnesses to his inquiries." EPA spokesman Jahan Wilcox said in a statement.

According to the Democrats' letter, Hupp said around Christmas she used a personal credit card from Pruitt in her possession to arrange his personal trip to the Rose Bowl in California to watch the Oklahoma Sooners football team play. She did not know why Pruitt, who sent her the details for the trip, and couldn't book the flight on his own.

"He just sent me the flights details and asked me to book for him," Hupp said.

Hupp indicated she considered Pruitt a personal friend, which was why she did these tasks for him. She said the two had met for dinners that were attended by just the two of them.

"We worked very closely together and spent a lot of time together," she said. "I traveled with him, so naturally a friendship developed."

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Republicans losing patience with scandal-scarred Pruitt [Back](#)

By Anthony Adragna and Emily Holden | 06/06/2018 05:37 PM EDT

Republicans on Capitol Hill are growing frustrated with EPA Administrator Scott Pruitt — and many are now publicly questioning whether he can hang on to his job amid the unending stream of scandals.

Several GOP lawmakers said their patience was running thin after this week's news that Pruitt sought to buy to buy a used mattress from the Trump Hotel and inquired about securing a Chick-fil-A franchise for his wife. And Pruitt's circle of confidantes inside the agency appeared to be shrinking as well, with two of his closest aides set to depart in the coming days.

"The constant drip needs to stop so the agency can get its footing and focus back," House Energy and Commerce Chairman Greg Walden (R-Ore.) told reporters. "They're doing some really good work in the environmental front, but this needs to stop."

"Sometimes people get tripped up on other things besides the core mission, and I think that's what you're seeing," Sen. Shelley Moore Capito (R-W.Va.) told reporters.

Pruitt's scheduler, Millan Hupp, is resigning following her interview by the House Oversight Committee during which she

disclosed that she helped her boss find housing and inquired about purchasing a used mattress for him from the Trump International Hotel.

And his top legal counsel, Sarah Greenwalt, will also depart, according to sources. Both women had worked for Pruitt in the Oklahoma attorney general's office and both were among the staff that received raises that had been rejected by the White House.

"I think it's extremely fair to say her and Millan both are tired of the daily grind here," one EPA official said. "Everybody is painfully aware of that."

While acknowledging that President Donald Trump would ultimately make any decision about Pruitt's job, several Republicans indicated Pruitt's support was waning in their conference.

"I'm not going to come down here, just because he happens to be a nominee of a president I support or a nominee from my party, and try to defend the indefensible," Sen. John Kennedy (R-La.) said. "I thought that Mr. Pruitt would have learned his lesson."

Kennedy added: "I said the same thing about Tom Price," referring to Trump's former HHS secretary who resigned after spending lavishly on military and private jets.

Trump reaffirmed his support for Pruitt on Wednesday when they participated in a briefing on the 2018 hurricane season with several Cabinet officials.

"EPA is doing really, really well," Trump said. "You know, somebody has to say that about you a little bit. You know that, Scott."

But even staunch Pruitt allies like Sen. Jim Inhofe (R-Okla.) said the mounting scandals had them rethinking their support.

"Some are true, some are not true. Whether he can weather the storm, I'm not sure," Inhofe said. "The accusations are all troubling. They are."

A few Republicans stood by Pruitt, arguing he's been targeted by an environmental community and press corps eager to take him down.

"I like him," Sen. Roger Wicker (R-Miss.) said. "He is a target because he's keeping the president's campaign promises."

But a more common view among GOP lawmakers was the collective stream of scandals were taking their toll and making Pruitt's position untenable.

"Take a thousand cuts and [there's] not much energy left," Senate Appropriations Chairman Richard Shelby (R-Ala.) told reporters.

Rep. John Shimkus (R-Ill.), who leads the Energy and Commerce subcommittee overseeing EPA, joked he "can't keep up" with the flood of allegations and said he's concerned they haven't stopped.

"These unforced errors are unforced errors," he said. "I don't like being asked all the time about this."

But he raised a possible reason why Republicans weren't abandoning Pruitt: getting a replacement confirmed by the Senate would be nearly impossible.

"Are you going to promise me we could even get an administrator?" he said. "I think that's another concern."

In a video posted by a Nexstar Wednesday, Pruitt defended his attempts to set his wife up with a Chick-fil-A franchise Wednesday, while the president reaffirmed his support in the administrator.

Pruitt said that his wife is "an entrepreneur herself" and that the pair loved the fast-food franchise. As he has in the past, Pruitt dismissed criticism of his behavior as being driven by opposition to the Trump administration's deregulatory policies.

"With great change comes, I think, opposition," he said in a clip the reporter posted to Twitter.

Pruitt did not directly address whether he had asked an EPA aide to reach out to Chick-fil-A President Dan Cathy to inquire about his wife opening up her own restaurant, as the Washington Post first reported Tuesday.

"Chick-fil-A is a franchise of faith and it's one of the best in the country, so that was something we were very excited about," he told the Nextstar reporter Wednesday. "We need more of them in Tulsa, [Okla.]. We need more of them across the country."

Kelsey Tamborrino contributed to this report.

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Trump's Interior chief 'hopping around from campaign event to campaign event' [Back](#)

Republican donors paid up to \$5,000 per couple for a photo with Interior Secretary Ryan Zinke at a fundraiser held during a taxpayer-funded trip to the U.S. Virgin Islands, according to documents reviewed by POLITICO — raising questions about his habit of mixing official government business with political activism.

The new details about Zinke's March trip to the Caribbean, including the previously undisclosed invitation to the Virgin Islands Republican Party fundraiser, emerged after weeks of scrutiny of the former Montana GOP congressman's travels. The nearly two-hour event was one of more than a half-dozen times Zinke has met with big donors or political groups while on department-paid trips, Interior travel records and other documents show.

Ethics watchdogs say Zinke is combining politics with his Interior duties so frequently that he risks tripping over the prohibitions against using government resources for partisan activity, even though his appearance at the Virgin Islands event seems to have been legal. Democrats have also seized on the issue, including 26 House members who wrote in a letter Tuesday that Zinke's travels "give the appearance that you are mixing political gatherings and personal destinations with official business."

Zinke has said all his actions have obeyed the law, dismissing concerns about his travel as "a little BS."

But some ethics advocates say Zinke's attendance at a fundraiser during his first month as secretary is not in line with past administrations' conduct, even if he crossed no legal red lines.

"It happens on occasion with other Cabinet secretaries, perhaps even a little more often as you get near the election, but it is not a very common practice for Cabinet members to be hopping around from campaign event to campaign event like we're seeing with Zinke," said Craig Holman, government affairs specialist for government watchdog Public Citizen.

The secretary is already under investigation by his department's inspector general over his use of taxpayer-funded private planes for some of the trips, and the Office of Special Counsel is looking into an activist group's allegations that he violated the Hatch Act, the law limiting political activism by federal employees. The White House has cracked down on Cabinet members' travel habits following former HHS Secretary Tom Price's resignation on Friday, which occurred after POLITICO reported on his own expensive flights.

Zinke visited the Virgin Islands from March 30 to April 1 on an official trip related to the Interior Department's role overseeing the U.S. territory. On his first day, following a "veterans meet and greet" and a reception with Gov. Kenneth Mapp, he appeared in his personal capacity at a March fundraiser for the local Republican Party at the patio bar of the Club Comanche Hotel St. Croix, department records show.

Tickets for the fundraiser ranged from \$75 per person to as much as \$5,000 per couple to be an event "Patron," according to Zinke's official calendar and a copy of the invitation. Patrons and members of the host committee, who paid \$1,500 per couple, could get a photo with Zinke at the start of the event, which was attended by local party members and elected officials.

The following day, Zinke took a \$3,150 flight on a private plane, paid for by the department, from St. Croix to official functions on St. Thomas and returned later that evening. Interior Department officials said there was no other way to accommodate his schedule, which included official events on both islands commemorating the 100th anniversary of the Dutch government transferring control of the islands to the United States.

Zinke is allowed to engage in partisan political activity in a "purely personal (not official) capacity," so long as he does not use government resources, according to Interior Department guidelines on the Hatch Act and other federal laws. The invitation to the GOP fundraiser did not identify Zinke by his official title and included a disclaimer that the money is being solicited by the local party and "not by any federal official."

All told, Zinke has spent around \$20,000 for three charter flights as secretary, nowhere near the \$1 million tab Price racked up on non-commercial trips. But he has on numerous occasions attended political receptions, spoken to influential conservative groups or appeared alongside past campaign donors during trips has taken outside of Washington, D.C., for official department business.

In one instance, Zinke gave a motivational speech for a professional hockey team owned by a major campaign contributor that he said was official business — and which required him to charter a \$12,000 flight to Montana for an appearance at the Western Governors Association the next day.

In another case, during a speech to the Western Conservative Summit in Denver, he was introduced via a recorded voice as the Interior secretary and Zinke proceeded to talk about the agency's priorities. The summit was organized by the Centennial Institute, which bills itself as Colorado Christian University's think tank and is a part of the State Policy Network of organizations that collectively push for conservative state-level legislation.

An Interior spokeswoman said Zinke always follows the law but declined to answer specific questions about his appearance at the Virgin Islands fundraiser, nor say whether he would keep raising political money. The agency also has yet to post Zinke's trip expenses involving any of the political events.

"The Interior Department under the Trump Administration has always and will always work to ensure all officials follow appropriate rules and regulations when traveling, including seeking commercial options at all times appropriate and feasible, to ensure the efficient use of government resources," spokeswoman Heather Swift said in a statement.

Swift did not respond to questions about whether the department had gotten reimbursement for the political portion of Zinke's three-day Virgin Islands trip, as the head of one watchdog group says it should have.

"Some of this travel is clearly political and that part of the travel should have been paid for by the RNC, NRCC, state political parties, a campaign committee or Zinke personally," said Daniel Stevens, executive director of the Campaign for Accountability.

No payments to the department are listed in the Virgin Islands Republican Party's FEC records.

Zinke is not the first Interior secretary, or Cabinet member, to have his activities questioned.

In 2012, a watchdog group called Cause of Action urged the Office of Special Counsel to investigate whether President Barack Obama's then- Interior Secretary Ken Salazar had violated the Hatch Act while taking an Obama reelection campaign RV tour of Colorado with a couple of lawmakers and the state lieutenant governor. Local organizers of one stop on that tour had billed Salazar on its online events calendar as attending the political rally in his official role. OSC would not say whether its investigation uncovered any problems, but travel records Interior has posted show that one of Salazar's aides had told the tour's coordinator the schedule "should not refer to (Salazar as) 'secretary.'" Salazar did not respond to a request for comment.

A former Salazar aide, who was not authorized to speak on the record, said the Obama administration generally tried to avoid scheduling political events that coincided with official travel because it was difficult to divvy up what expenses should be reimbursed by a campaign.

The special counsel's office found Obama HHS Secretary Kathleen Sebelius in violation of the Hatch Act in 2012, saying she had made "extemporaneous partisan remarks" by endorsing a candidate for North Carolina governor during a speech she made in her

official capacity. Sebelius tried to scrub the violation by reclassifying the appearance as political and reimbursing the Treasury Department for costs associated with the trip.

Sally Jewell, who was Interior secretary during Obama's second term, said Zinke was within his rights to appear at the fundraiser in the Virgin Islands. Jewell said she once appeared at a fundraiser for Democratic Sen. Maria Cantwell while in Obama's Cabinet, though she paid her own way to Washington state and was not identified by her official title.

"If he had legitimate business while he's on the island, to do a political thing on the side, I don't think that is that unusual," Jewell said in an interview.

EPA Administrator Scott Pruitt canceled his scheduled appearance at a fundraiser for the Oklahoma Republican Party in April because an invitation had identified him by his official title and said he would discuss his work at the agency. EPA ethics officials said he would have been cleared to attend the event if not for that language on the invitation.

Watchdog groups say Zinke's behavior fits a pattern for Trump's Cabinet.

"These government resources have been abused by this administration," said Virginia Canter, an executive branch ethics counsel for Citizens for Responsibility and Ethics in Washington who previously worked as an ethics official for Presidents George H.W. Bush, George W. Bush and Obama. "To the extent that some of that supports their political ambitions is inconsistent with the intent of this authority."

The Campaign for Accountability called on Interior's inspector general and the Office of Special Counsel to investigate whether Zinke violated the Hatch Act or department ethics rules with his speech to the hockey team, which the group said appeared to be a favor for a donor. Interior's IG office announced its investigation earlier this week, and OSC told the Campaign for Accountability that it was looking into the group's complaint, according to an email shared with POLITICO. The OSC declined to comment.

Reps. Raúl Grijalva (D-Ariz.) and Donald McEachin (D-Va.) have asked Interior's IG to also look into any trips on which the secretary was accompanied by his wife, Lola Zinke, who is chairing the campaign of Montana Republican Troy Downing, a candidate to unseat Democratic Sen. Jon Tester next year. Swift said Lola Zinke was not in the Virgin Islands and has paid her own way whenever she has traveled with her husband on official trips.

Many who know him see Zinke's travels as an attempt to keep in touch with political contacts as he contemplates what he will do

after leaving the Trump administration. Back home, the 55-year-old former Montana congressman is seen as an attractive candidate for the open-seat governor's race in 2020, when Democratic Gov. Steve Bullock will have to step down because of term limits.

"I think he's definitely got political aspirations; that's one of the reasons why he is where he is at right now," said Land Tawney, executive director of Backcountry Hunters and Anglers, a Montana-based sportsman group that supported Zinke's bid for Interior secretary. "You don't go from being a Montana legislator to a first-term congressman to [Interior] secretary without having ambition."

The Virgin Islands trip was Zinke's first interaction with big donors or influential conservative groups during his travel as Interior secretary.

A weeklong trip in May that took Zinke through Montana, Utah and California also offered a chance to squeeze in some political events.

Zinke delivered the keynote speech at the RNC spring meeting on May 11 in Coronado, Calif. Zinke had flown to California the previous night, after several days touring monuments in Utah, and the RNC speech was his only event in the state aside from a meeting earlier that afternoon with Rep. Amata Radewagen, the Republican delegate from American Samoa, and members of the American Tunaboat Association.

The next day, Zinke flew back to Montana, where he joined Sen. Steve Daines (R-Mont.) and Vice President Mike Pence to tour a coal mine on the Crow Indian reservation operated by the Westmoreland Coal Co.

The trip offered Zinke and Pence an opportunity to tout the Trump administration's work to promote new coal mining on federal lands — and it allowed them to make a brief detour to promote Zinke's congressional replacement. That Friday night, Zinke, Pence and Daines attended a political rally for GOP candidate Greg Gianforte, and Zinke attended a get-out-the vote event for the Montana GOP the next day.

Zinke apparently paid for his return trip to Washington out of his own pocket — it was marked "personal travel" on his calendar, a designation not applied to the other flights on that trip.

Gianforte, whose wife is a major political donor in Montana, won the May 25 special election to take over Zinke's House seat.

Greg and Susan Gianforte donated more than \$10,000 to Zinke's 2016 congressional campaign and another \$10,000 to a joint

Zinke-Daines PAC, according to federal records. The couple donated \$5,000 for his earlier run for Congress.

Zinke met with big influencers and donors in June as well.

On June 25, he flew from D.C. to Reno, Nev., where his only scheduled event was a meeting of the Rule of Law Defense Fund, a group of Republican attorneys general that has been linked to the Koch brothers, where he spoke and took questions for about 30 minutes, according to his schedule.

After his remarks, he sat at a dinner table with Montana's attorney general, the government relations specialist for the Venetian Resort Hotel Casino and Las Vegas Sands, and Koch Industries lobbyist Allen Richardson, Interior documents show.

The next day, Zinke flew to Las Vegas for an event on public lands in nearby Pahrump, Nev., and a speech that night to the National Hockey League's Vegas Golden Knights. Bill Foley, the team owner and chairman of Fidelity, introduced Zinke. Foley donated \$7,800 to Zinke's 2014 campaign, while employees and PACs associated with Fidelity and related companies gave another \$180,000. Interior officials said the speech to the NHL team was part of Zinke's official duties, and they pointed to scheduling conflicts it created to justify his use of a \$12,000 private plane to get to a Western Governors Association meeting in Montana the next day.

In July, Zinke spoke to several conservative groups in Colorado during a three-day trip that also included tours of Interior Department facilities in the state. He flew into Denver on July 20 so he could appear that evening at a closed-door reception for the American Legislative Exchange Council, a group of conservative state legislators, lobbyists and industry groups that has pushed for more state control over federal lands.

And over the next two days, he was a featured speaker at a Republican committee roundtable and attended the Western Conservative Summit in Denver.

Eric Wolff contributed to this report.

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Zinke's political ties to Virgin Islands improved Interior's hurricane response, party boss says Back

By Ben Lefebvre | 06/07/2018 05:11 AM EDT

The top GOP official in the U.S. Virgin Islands suggested his fundraising group's "behind the scenes" relationship with Interior Secretary Ryan Zinke helped influence the department's response to last year's hurricanes in the island territory.

John Canegata, the head of the Virgin Islands Republican Party, said he had direct access to Interior officials after the storm thanks to money his group raised for Zinke, whom he described as a "close friend." Zinke, a former congressman, has known Canegata since at least 2015, and the secretary was at a fundraiser for the VIGOP, as the group is known, during an official trip to the islands in his first month in President Donald Trump's Cabinet.

Interior officials acknowledged reaching out to Canegata, who also works for a major rum distiller in the territory, although they said it was part of a wider effort to contact business leaders based in the territory and Zinke did not call him personally. However, a representative of the distiller said Canegata was not involved in their relief efforts, and a spokesman for the Virgin Islands' House delegate disputed Canegata's involvement in the hurricane response.

The department expedited reimbursements of rum taxes as part of its response to the hurricanes, although it's unclear whether Canegata's connection influenced that decision. Interior has jurisdiction over U.S. territories including the Virgin Islands but not Puerto Rico, which suffered more extensive devastation.

Disaster response experts say it would be inappropriate for Canegata's political connections to influence Interior's efforts in the Virgin Islands.

"These are processes that are supposed to be transparent and supposed to be above the board," said Eric LeCompte, executive director of Jubilee USA, an anti-poverty group that has been involved in hurricane disaster relief efforts. "So, it would not be something a political party would be part of."

VIGOP is not a typical political party and faces frequent inquiries from the FEC to better explain its fundraising practices and expenses. Some critics, including past Republican clients, say the group bilks conservative donors with promises to fight Democrats while spending the bulk of its money on overhead instead of political advocacy. The group spends the vast majority of its money on a small group of Washington-area political consultants who have also done work for Zinke's campaign and leadership PACs.

Zinke was introduced to the VIGOP in 2015 by a Washington fundraising consultant who also did work for his campaigns, and as a member of Congress he has traveled to at least two political conferences in the Virgin Islands sponsored by the group,

POLITICO reported last year. Zinke and Canegata are seen together during a prior trip in a photo posted to Facebook.

Canegata boasted about his Zinke ties in a televised appearance on WTJX Virgin Islands Public Broadcasting that aired last month but has not received widespread attention outside of the territory.

"We were in direct connection with the Department of Interior," Canegata said in the broadcast.

"Secretary Zinke, happens to be, I wouldn't say a personal friend, but a close friend," Canegata continued. "Prior to him being the secretary of Interior, we spent some time in Washington, we spent some time here in the Virgin Islands. We supported him when he was a congressman and, behold, he becomes the secretary of Interior."

While Canegata credited other officials with their part in aiding the island's response, he said the pre-existing connection to Zinke was key.

"Obviously, we have our congresswoman, our governor doing their job," Canegata continued. "But behind the scenes, trust me, a lot of telephone calls, a lot of maneuvering was going on because, I think, some of the relationships we built."

The Office of Special Counsel on Tuesday closed its investigation into Zinke's appearance at the Virgin Islands fundraiser in March 2017, finding that he had not violated the Hatch Act because he was there in his official capacity and VIGOP reimbursed Interior for its expenses. Interior's inspector general also recently said the appearance at the fundraiser was not inappropriate. It is unclear whether either of those investigations addressed any link between VIGOP and Interior's hurricane response; both offices declined to comment.

Interior's Office of Insular Affairs, which oversees the Virgin Islands, "reached out to dozens of local government employees as well as major private sector employers in the USVI to check their power status and to see how the office could help," Interior spokeswoman Heather Swift said in an email. Canegata "was contacted by those Insular Affairs officials because he works for one of those major private employers, Cruzan Rum."

Canegata, a supply chain specialist at the rum distillery, had no role in the company's disaster relief efforts, according to Cruzan Rum human resources manager Ayanda Daniels.

"He wasn't part of the coordination," Daniels told POLITICO. "Maybe he had a conversation with someone in order to do something, but we had another team for company response."

James Norton, a former Department of Homeland Security Deputy official during the George W. Bush administration, said it is important for disaster response efforts to be handled through the appropriate channels.

"As a matter of proper procedure, it would only be appropriate for all federal actions to be dealt with solely with official authorities at the Department of Defense, Interior, Homeland Security, FEMA, etc., and those local officials on the ground," said Norton, who is now head of the consulting agency Play-Action Strategies. "Anything other than raising awareness and reaching out to get an update on what's happening would be inappropriate, as a political party or other organization doesn't have command and control authority, nor would they be the designated principal federal official on the ground directing rescue operations."

A spokesman for Stacey Plaskett, the Democratic House delegate from the Virgin Islands, disputed Canegata's version of events.

"I cannot honestly remember hearing them or seeing them do anything to that effect," Plaskett's spokesman Mike McQuerry said. "The congresswoman was the person here in D.C. that worked extremely hard during that time to get those funds to the Virgin Islands."

Canegata did not respond to a request for comment this week.

Interior expedited reimbursement of \$223 million in taxes on Virgin Islands rum imported into the mainland and provided a \$567,500 grant to help with a post-hurricane finance audit. Other hurricane relief funds would have come from FEMA, an Insular Affairs spokesperson said.

Otherwise, Zinke and Insular Affairs head Doug Domenech met with Virgin Islands Gov. Kenneth Mapp to discuss recovery efforts, the Insular Affairs spokesperson said. In November, Domenech also met representatives of Cruzan Rum's parent company, Beam Suntory, to discuss the rum tax reimbursements Interior makes to the territory. Beam Suntory donated \$1.5 million to hurricane relief efforts the previous month.

Swift said Zinke did not personally reach out to Canegata. "The only official in the USVI the Secretary called was Governor Mapp," she said.

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Murray had early access to Perry to share coal plan [Back](#)

Coal magnate Bob Murray pitched Energy Secretary Rick Perry on his plan to throw an economic lifeline to coal companies less than a month before Perry set in motion plans to aid the industry, according to newly disclosed photographs that show the two meeting.

The liberal magazine In These Times obtained pictures of Murray and Perry from a March 29 meeting at Energy Department headquarters, less than a month after Perry was sworn in. Several other officials were in attendance, including Andrew Wheeler, who at the time was a lobbyist for Murray and has since been nominated as EPA's No. 2 official.

The meeting puts Murray and Perry together at a crucial moment in the timeline of the Trump administration's push to save the struggling coal industry, an effort that would benefit Murray Energy in particular while hiking electricity prices for potentially millions of people. A month before the meeting, one of Murray's biggest customers, FirstEnergy Corp., had told investors it was seriously considering sending its merchant division, FirstEnergy Solutions, into bankruptcy, a move which would likely void its supply contracts with Murray's coal mines.

Three weeks after Murray's visit, Perry would order a grid study that later became part of the justification for a proposed rule to reward coal and nuclear power plants for providing "grid resiliency." FERC, which has jurisdiction over the proposal, must make a decision on it by Monday.

At the time of the meeting, Wheeler was already the leading candidate to become the deputy administrator for EPA. Wheeler, who represented Murray as a lobbyist for Faegre Baker Daniels, would not be officially nominated for months. Wheeler, who has acknowledged participating in meetings on Murray's coal plan at DOE and on Capitol Hill, cleared committee last week and is awaiting Senate confirmation.

Murray is an outspoken supporter of President Donald Trump and held a fundraiser for him during the 2016 campaign.

DOE did not dispute the validity of the photos.

"Industry stakeholders visit the Department of Energy on a daily basis," DOE spokeswoman Shaylyn Hynes said, when asked about the meeting. "The DOE proposal to FERC was about the future and resiliency of the nation's power supply, an issue much bigger than one industry or company."

The photographs show Perry sitting at the head of a table in the Department of Energy, with Bob Murray, CEO of Murray Energy, to his left, and Wheeler down the table from Murray.

"Enclosed is an Action Plan for achieving reliable and low cost electricity ... and to assist in the survival of our Country's coal industry, which ... power grid reliability and low cost electricity," Murray writes in a cover letter to Perry, parts of which are visible in one photo from the meeting.

Though the document has never been publicly released, DOE critics say Murray's plan appears to have inspired DOE's grid study and the proposed rule Perry sent FERC in September. Copies are visible at the seats of most of the participants, including Perry and Murray. Wheeler, who told members of the Senate Environment Committee he had only seen the memo briefly, is not holding a copy in the photos obtained by In These Times. Murray told Greenwire in November he "didn't have any involvement" in writing the rule.

Murray has acknowledged sharing the plan with Trump.

"I gave Mr. Trump what I called an action plan very early," Murray said in a recent PBS Frontline documentary on EPA. "It's about three-and-a-half pages and — of what he needed to do in his administration. He's wiped out page one."

The meeting appears to have been successful for all. One of the photos shows Perry and Murray in a big bear hug.

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Murray delivered executive orders on coal rules to Trump administration [Back](#)

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and

consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelmingly benefited coal and nuclear generators, but it was shot down by FERC in January.

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

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House passes WRDA bill [Back](#)

By Annie Snider | 06/06/2018 09:42 PM EDT

The House has overwhelmingly approved the Water Resources Development Act of 2018, H.R. 8 (115), the first major infrastructure legislation to move under the Trump administration.

Lawmakers signed off on the measure on a broadly bipartisan vote of 408-2. The bill would authorize six new Army Corps of Engineers projects and enact a suite of policy reforms at the red tape-laden agency. It is significantly narrower than the Senate's measure, which would also make changes to EPA drinking water and wastewater programs.

And it includes a provision that could stir some controversy with the Senate, ordering a study of whether the Army Corps' civilian work should remain within the Department of Defense.

But House leaders dodged provisions that could have derailed the bill by blocking controversial amendments from floor consideration. Those included efforts to repeal the Obama administration's Waters of the U.S. rule, allow firearms at Army Corps recreational sites and exempt pesticide spraying from Clean Water Act permitting requirements.

WHAT'S NEXT: The Senate is expected to consider its version of the WRDA bill, America's Water Infrastructure Act of 2018, S. 2800 (115), this summer.

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Trump calls for coal, nuclear power plant bailout [Back](#)

By Eric Wolff | 06/01/2018 02:29 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump supporter whose operations supply

coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

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House to vote Thursday on Trump's spending cuts plan [Back](#)

By Sarah Ferris | 06/06/2018 05:32 PM EDT

President Donald Trump's prized deficit-reduction package is rolling toward the House floor this week, though its prospects in the Senate remain in doubt — with little time to spare.

House leaders have set a vote Thursday on the Trump administration's roughly \$15 billion rescissions bill, according to a GOP aide, nearly a full month after the proposal was first delivered to Capitol Hill.

The House Rules Committee will tee up the bill, [H.R. 3 \(115\)](#), on Wednesday evening, a lightning turnaround that surprised even some GOP lawmakers.

The last-minute scheduling change comes after the White House [agreed this week](#) not to slash hundreds of millions of dollars from politically sensitive programs, like Hurricane Sandy aid, which helped [secure votes](#) from numerous GOP holdouts.

Even with some of those unpopular cuts reversed, several House Republicans remain anxious about the plan's optics — specifically, cuts to the ultra-popular Children's Health Insurance Program.

At a closed-door meeting of House Republicans Wednesday, several GOP lawmakers stood up to complain that the kids' health cuts could hit hard on the campaign trail, despite assurance from neutral budget experts that the cuts wouldn't harm the program.

In fact, the vast majority of the White House's proposed spending cuts would exist only on paper. The bill would save only \$1 billion over a decade, [according](#) to the CBO, which is far less than 1 percent of the size of Congress' last spending bill, [H.R. 1625 \(115\)](#).

Next, the White House will have to sell the bill to the Senate, where a single Republican "no" vote could sink the package.

Budget chief Mick Mulvaney has already met with Sen. [Lisa Murkowski](#), an Alaska Republican who has raised issues with the cuts to CHIP. Sen. [Susan Collins](#) of Maine, another GOP moderate, has not yet said whether she supports the bill.

If the House clears the bill Thursday, the Senate will have roughly two weeks to send the measure to Trump's desk before its filibuster-proof powers expire June 22.

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Minibus spending package ready for House floor action [Back](#)

By Kaitlyn Burton | 06/06/2018 07:46 PM EDT

The House Rules Committee today teed up a three-bill spending bundle for floor consideration as soon as Thursday.

All in all, the panel approved 50 Energy-Water amendments, 22 Military Construction-VA amendments and seven Legislative Branch amendments, setting them up for floor votes.

While the minibus, [H.R. 5895 \(115\)](#), will likely pass, House Democratic leaders threw a wrench in things when they urged lawmakers to oppose the bill, POLITICO [reported](#) Tuesday evening.

Votes on the package are expected to come after a separate [Thursday vote](#) on the White House's rescissions measure, [H.R. 3 \(115\)](#). Conservatives, including the Republican Study Committee, asked for the spending cuts to be taken up first, according to a House GOP aide. The Rules Committee teed up the rescissions proposal in a 9-3 vote tonight, allowing no amendment votes.

The minibus would be the first House-passed fiscal 2019 funding measure.

Sarah Ferris contributed to this alert.

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House appropriators advance \$35B Interior-EPA spending package [Back](#)

By Alex Guillén | 06/06/2018 05:04 PM EDT

The House Appropriations Committee today approved its \$35 billion Interior-EPA spending bill by a party-line vote of 25-20.

Committee Republicans [blocked](#) an effort from Democrats to boost EPA's Office of Inspector General by \$12 million, saying the watchdog already has "robust" appropriations. The bill funds the OIG at \$12 million less than his request, but higher than the amount requested by the White House.

The committee voted down an [amendment](#) that would have required EPA's administrator and deputy administrator to report public details of travel costs within 10 days of a trip, along with various amendments targeting a repeal of the Waters of the U.S. rule and other policy riders, along with EPA's proposed science

transparency policy, offshore drilling and other standard policy disputes.

Lawmakers approved an amendment that would change revenue sharing for drilling in the Arctic National Wildlife Refuge. The approved amendment would send 50 percent of revenue to the federal government, 47 percent to the state and 3 percent to the Alaskan Native claims settlement fund.

They also backed a tongue-in-cheek amendment from Rep. Marcy Kaptur (D-Mich.) that would limit EPA from spending more than \$50 on any one fountain pen, a response to a recent Washington Post report that Pruitt spent \$1,560 for a dozen personalized fountain pens. The amendment passed with no "nay" votes.

WHAT'S NEXT: Lawmakers hope to have the bill before the full House sometime this summer, but it is unclear whether the Senate will act on a similar timeframe. Like most other appropriations bills in recent years, Congress has passed an omnibus rather than conferencing directly.

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GOP blocks funding increase for EPA watchdog probing Pruitt activities [Back](#)

By Alex Guillén | 06/06/2018 03:06 PM EDT

House Republicans today blocked a Democratic effort to increase funding for EPA's Office of Inspector General to help the watchdog deal with the increased workload stemming from Administrator Scott Pruitt's spending and ethics scandals.

Rep. Mark Pocan (D-Wis.) and a bloc of Democrats on the House Appropriations Committee pushed an amendment that would have boosted OIG funding for fiscal 2019. It ultimately was voted down on a party-line vote of 21-26.

"It's hard to imagine that there is a more overworked inspector general than at the EPA these days," Pocan said. "This is not a Democrat/Republican thing, this should be a good government thing."

Interior-EPA Appropriations Chairman Ken Calvert (R-Calif.) said the bill "already includes robust support for EPA's inspector general."

The House Interior-EPA spending package would provide the OIG funding of just over \$50 million, about flat with 2018's level. Most of that is appropriated directly, though some of it is pulled from the Superfund program for OIG's work on Superfund-specific issues. Pocan's amendment would have drawn the extra \$12 million from EPA's "workforce reshaping" account inside the \$2.5 billion environmental programs.

In a February [letter](#), EPA Inspector General Arthur Elkins said the president's proposed OIG budget of \$46 million would "substantially inhibit the OIG from performing the duties of the office." He asked instead for a budget of \$62 million. That request came before an avalanche of congressional requests to review various Pruitt-related issues on spending and ethics.

WHAT'S NEXT: The committee will vote later today on the full spending bill.

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Interior advisory committee recommends streamlining environmental reviews for drilling [Back](#)

By Ben Lefebvre | 06/06/2018 06:31 PM EDT

An Interior Department advisory board on Wednesday approved a slew of recommendations aimed at expanding energy lease sales and lowering royalty rates, even as some members questioned whether it had the power to suggest changes to federal environmental reviews.

The Royalty Policy Committee wrapped up its latest meeting in New Mexico after approving nine [recommendations](#) for Secretary Ryan Zinke to change how the department collects payments from energy production on federal land. Most of the suggestions would benefit oil and gas companies operating on federal acres, while two recommendations were aimed at boosting renewable energy production.

Two committee members disagreed with a recommendation for the Bureau of Land Management to issue "categorical exclusions" for certain oil and gas projects, allowing those projects to forgo full environmental reviews under the National Environmental Protection Act.

"NEPA is not referred to in the [committee] charter," Rod Eggert, a professor at the Colorado School of Mines, said during the

meeting. "The text in the charter refers to royalties and collections of royalties."

Committee member Monte Mills of the University of Montana agreed that recommending categorical exclusions fell outside of the committee's scope.

Western Energy Alliance President Kathleen Sgamma, another member of the committee, defended the recommendation, saying it would increase royalty payments to Interior by making it easier for companies to drill on public land.

"We're trying to increase competitiveness of federal lands," Sgamma said during the meeting. "NEPA is often the aspect of the federal process that takes the longest and decreases the competitiveness of public lands the most."

Ultimately, the committee approved the recommendation and deferred further discussion about the scope of its charter until its next meeting, yet to be scheduled.

The committee also suggested Interior make it easier for companies to pay lower royalty rates for mature oil and gas wells and those "difficult" to operate. And it recommended Zinke ask Congress to amend the Outer Continental Shelf Lands Act with language allowing Interior to hold offshore energy project lease sales in Guam and other U.S. territories.

The committee's two renewable power suggestions were that Interior offer annual lease sales for 2 gigawatts of offshore wind power every year for a decade starting in 2024; and to instruct BLM to reduce fees and streamline permit requirements for solar projects.

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BLM tells field office to expedite drilling permit reviews [Back](#)

By Ben Lefebvre | 06/06/2018 08:20 PM EDT

The Bureau of Land Management instructed field offices to prioritize the use of old environmental reviews or categorical exclusions to expedite drilling permit applications for sites where work is already underway, according to a memo released today.

The bulletin posted on the BLM website said those methods will allow officials to process the applications "in the most expeditious

and appropriate manner" under the National Environmental Policy Act.

The BLM bulletin directed its field offices that existing environmental analysis for new projects proposed for old sites "should be used to the greatest extent possible" instead of starting a new environmental review process.

If the old analysis isn't sufficient, field offices should determine whether the application falls under an existing categorical exclusion, meaning a new NEPA review would not be required. Criteria to determine whether an exclusion would be available include whether a similar project has already occurred on the same site within the previous five years.

BLM posted its memo soon after Interior's Royalty Policy Committee recommended earlier today that the agency increase its use of categorical exclusions.

WHAT'S NEXT: The environmental review priority list goes into effect immediately.

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White House, EPA headed off chemical pollution study [Back](#)

By Annie Snider | 05/14/2018 12:43 PM EDT

Scott Pruitt's EPA and the White House sought to block publication of a federal health study on a nationwide water-contamination crisis, after one Trump administration aide warned it would cause a "public relations nightmare," newly disclosed emails reveal.

The intervention early this year — not previously disclosed — came as HHS' Agency for Toxic Substances and Disease Registry was preparing to publish its assessment of a class of toxic chemicals that has contaminated water supplies near military bases, chemical plants and other sites from New York to Michigan to West Virginia.

The study would show that the chemicals endanger human health at a far lower level than EPA has previously called safe, according to the emails.

"The public, media, and Congressional reaction to these numbers is going to be huge," one unidentified White House aide said in an email forwarded on Jan. 30 by James Herz, a political appointee

who oversees environmental issues at the OMB. The email added: "The impact to EPA and [the Defense Department] is going to be extremely painful. We (DoD and EPA) cannot seem to get ATSDR to realize the potential public relations nightmare this is going to be."

More than three months later, the draft study remains unpublished, and the HHS unit says it has no scheduled date to release it for public comment. Critics say the delay shows the Trump administration is placing politics ahead of an urgent public health concern — something they had feared would happen after agency leaders like Pruitt started placing industry advocates in charge of issues like chemical safety.

Sen. Maggie Hassan (D-N.H.) called the delay "deeply troubling" on Monday, urging Pruitt and President Donald Trump "to immediately release this important study."

"Families who have been exposed to emerging contaminants in their drinking water have a right to know about any health impacts, and keeping such information from the public threatens the safety, health, and vitality of communities across our country," Hassan said, citing POLITICO's reporting of the issue. Details of the internal discussions emerged from EPA emails released to the Union of Concerned Scientists under the Freedom of Information Act.

Sen. Jeanne Shaheen, a fellow New Hampshire Democrat, called the delay "an egregious example of politics interfering with the public's right to know. ... [I]t's unconscionable that even the existence of this study has been withheld until now."

The emails portray a "brazenly political" response to the contamination crisis, said Judith Enck, a former EPA official who dealt with the same pollutants during the Obama administration — saying it goes far beyond a normal debate among scientists.

"Scientists always debate each other, but under the law, ATSDR is the agency that's supposed to make health recommendations," she said.

The White House referred questions about the issue to HHS, which confirmed that the study has no scheduled release date.

Pruitt's chief of staff, Ryan Jackson, defended EPA's actions, telling POLITICO the agency was helping "ensure that the federal government is responding in a uniform way to our local, state, and Congressional constituents and partners."

Still, Pruitt has faced steady criticism for his handling of science at the agency, even before the recent spate of ethics investigations into his upscale travels and dealings with lobbyists. In his year leading EPA, he has overhauled several scientific advisory panels to include more industry representatives and recently ordered limits on the kinds of scientific studies the agency will consider on the health effects of pollution.

On the other hand, Pruitt has also called water pollution one of his signature priorities.

The chemicals at issue in the HHS study have long been used in products like Teflon and firefighting foam, and are contaminating water systems around the country. Known as PFOA and PFOS, they have been linked with thyroid defects, problems in pregnancy and certain cancers, even at low levels of exposure.

The problem has already proven to be enormously costly for chemicals manufacturers. The 3M Co., which used them to make Scotchguard, paid more than \$1.5 billion to settle lawsuits related to water contamination and personal injury claims.

But some of the biggest liabilities reside with the Defense Department, which used foam containing the chemicals in exercises at bases across the country. In a March report to Congress, the Defense Department listed 126 facilities where tests of nearby water supplies showed the substances exceeded the current safety guidelines.

A government study concluding that the chemicals are more dangerous than previously thought could dramatically increase the cost of cleanups at sites like military bases and chemical manufacturing plants, and force neighboring communities to pour money into treating their drinking water supplies.

The discussions about how to address the HHS study involved Pruitt's chief of staff and other top aides, including a chemical industry official who now oversees EPA's chemical safety office.

Herz, the OMB staffer, forwarded the email warning about the study's "extremely painful" consequences to EPA's top financial officer on Jan. 30. Later that day, Nancy Beck, deputy assistant administrator for EPA's Office of Chemical Safety and Pollution Prevention, suggested elevating the study to OMB's Office of Information and Regulatory Affairs to coordinate an interagency review. Beck, who worked as a toxicologist in that office for 10 years, suggested it would be a "good neutral arbiter" of the dispute.

"OMB/OIRA played this role quite a bit under the Bush Administration, but under Obama they just let each agency do their own thing....," Beck wrote in one email that was released to UCS.

Beck, who started at OMB in 2002, worked on a similar issue involving perchlorate, an ingredient in rocket fuel — linked with thyroid problems and other ailments — that has leached from defense facilities and manufacturing sites into the drinking water of at least 20 million Americans. Beck stayed on at OMB into the Obama administration, leaving the office in January 2012 and going to work for the American Chemistry Council, where she was senior director for regulatory science policy until joining EPA last year.

Yogin Kothari, a lobbyist with the Union of Concerned Scientists, called Beck's January email "extremely troubling because it appears as though the White House is trying to interfere in a science-based risk assessment."

Environmentalists say such interference was routine during the Bush administration.

"It's why the Obama administration issued a call for scientific integrity policies across the federal government," Kothari said in an email to POLITICO. "Dr. Beck should know firsthand that the Bush administration sidelined science at every turn, given that she spent time at OMB during that time."

Soon after the Trump White House raised concerns about the impending study, EPA chief of staff Ryan Jackson reached out to his HHS counterpart, as well as senior officials in charge of the agency overseeing the assessment to discuss coordinating work among HHS, EPA and the Pentagon. Jackson confirmed the outreach last week, saying it is important for the government to speak with a single voice on such a serious issue.

"EPA is eager to participate in and, contribute to a coordinated approach so each federal stakeholder is fully informed on what the other stakeholders' concerns, roles, and expertise can contribute and to ensure that the federal government is responding in a uniform way to our local, state, and Congressional constituents and partners," Jackson told POLITICO via email.

Pruitt has made addressing per- and polyfluoroalkyl substances, or PFAS, a priority for EPA. The unpublished HHS study focused on two specific chemicals from this class, PFOA and PFOS.

States have been pleading with EPA for help, and experts say that contamination is so widespread, the chemicals are found in nearly every water supply that gets tested.

In December, the Trump administration's nominee to head the agency's chemical safety office, industry consultant Michael Dourson, withdrew his nomination after North Carolina's Republican senators said they would not support him, in large part because of their state's struggles with PFAS contamination.

Dourson's previous research on the subject has been criticized as too favorable to the chemical industry.

Shortly after Dourson's nomination was dropped, Pruitt announced a "leadership summit" with states to discuss the issue scheduled for next week.

In 2016, the agency published a voluntary health advisory for PFOA and PFOS, warning that exposure to the chemicals at levels above 70 parts per trillion, total, could be dangerous. One part per trillion is roughly the equivalent of a single grain of sand in an Olympic-sized swimming pool.

The updated HHS assessment was poised to find that exposure to the chemicals at less than one-sixth of that level could be dangerous for sensitive populations like infants and breastfeeding mothers, according to the emails.

Dave Andrews, a senior scientist with the Environmental Working Group, said those conclusions line up with recent studies on the health effects of PFAS.

"They are looking at very subtle effects like increased risk of obesity for children exposed in womb, lowered immune response, and childhood vaccines becoming not as effective," Andrews said.

The HHS document at issue is called a toxicological profile, which describes the dangers of a chemical based on a review of previous scientific studies. It would carry no regulatory weight itself, but could factor into cleanup requirements at Superfund sites.

EPA scientists, including career staffers, were already talking with the HHS researchers about the differences in their two approaches to evaluating the chemicals when officials at the White House raised alarm in late January, the emails show. Those differences, according to the correspondence, stemmed from the agencies' use of different scientific studies as a basis, and from taking different approaches to accounting for the harm that the chemicals can do to the immune system — an area of research that has burgeoned in the two years since EPA issued its health advisory.

Enck, the former EPA official, said she sees one troubling gap in the emails: They make "no mention of the people who are exposed to PFOA or PFOS, there's no health concern expressed here."

To view online [click here](#).

[Back](#)

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Yes, very



Somewhat



Neutral



Not really



Not at all

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POLITICOPRO

This email was sent to jackson.ryan@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 7/18/2017 12:34:38 PM
To: Dominguez, Alexander [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5ced433b4ef54171864ed98a36cb7a5f-Dominguez,]
Subject: FW: House Approps QFRs
Attachments: HAC QFRs with RESPONSES FOR HOLLY_MMG 3.docx

Hey Holly,
I touched base with Mandy this morning and she expressed concern with a number of answers in the OMB passback. I've highlighted them below with the corresponding, preferred answer. Note this is all reflected in the attached as well if that is easier to track.

Deliberative Process / Ex. 5

-----Original Message-----

From: Gunasekara, Mandy
Sent: Monday, July 17, 2017 8:35 PM
To: Greaves, Holly <greaves.holly@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: House Approps QFRs

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

-----Original Message-----

From: Greaves, Holly

Sent: Monday, July 17, 2017 8:22 PM

To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: House Approps QFRs

Hi Mandy, these were due last week. Liz, Troy, Justin, David and I reviewed what the career staff submitted and sent them over to OMB. Attached is the "finished" product (Ryan is going through them now). Please take a look and compare to your edits and let me know if there is anything that raises a red flag.

Thanks,
Holly

-----Original Message-----

From: Gunasekara, Mandy
Sent: Monday, July 17, 2017 6:20 PM
To: Lyons, Troy <lyons.troy@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Cc: Greaves, Holly <greaves.holly@epa.gov>
Subject: RE: House Approps QFRs

Sorry times-a-million for the lateness. Attached are QFRs with my edits. I'm happy to follow-up with any questions.

Thanks,
Mandy

-----Original Message-----

From: Lyons, Troy
Sent: Tuesday, July 11, 2017 9:34 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Cc: Greaves, Holly <greaves.holly@epa.gov>
Subject: House Approps QFRs

I know you both are slammed, but have Have you had a chance to review the House Approps QFR? We are hoping to send them to omb tomorrow. Thank you for your help in preparation of the hearing and with the QFRs.

Sent from my iPhone

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 7/18/2017 12:38:03 AM
To: Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]
Subject: QFRs
Attachments: HAC QFRs with RESPONSES FOR HOLLY_ MMG 3.docx

I was too late submitting my proposed changes to the QFRs (which was earlier today). I apologize for that, but I have some serious problems with **Deliberative Process / Ex. 5**. Below are my suggested responses, which I also sent to Holly et. al. Want to flag for you as well since you are reviewing them now.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Mandy M. Gunasekara

Senior Policy Advisor for Office of Air and Radiation
Office of the Administrator
US Environmental Protection Agency

Message

From: Gunasekara, Mandy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=53D1A3CAA8BB4EBAB8A2D28CA59B6F45-GUNASEKARA,]
Sent: 5/3/2017 4:08:51 PM
To: Schwab, Justin [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=eed0f609c0944cc2bbdb05df3a10aadb-Schwab, Jus]; Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]
Subject: RE: Morning Energy: Methane CRA's fate remains unclear as time runs down — LaFleur queries New England states on market options — House subpanel tackles monument designations

The ball is rolling on methane NSPS: we've announced intention to stay, will formally grant reconsideration and start 90-day stay toward end of May (draft on that FR notice is in the works), then develop a further extension of the rule's LDAR deadlines, then propose revised reconsideration rule that is VOCs only.

I've yet to have any conversations about the NSPS. Can start the process.

From: Schwab, Justin
Sent: Tuesday, May 2, 2017 7:52 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: Re: Morning Energy: Methane CRA's fate remains unclear as time runs down — LaFleur queries New England states on market options — House subpanel tackles monument designations

Deliberative Process, Attorney Client Privilege / Ex. 5

Sent from my iPhone

On May 2, 2017, at 7:40 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

So our NSPS methane rule is not contemplated as a CRA at all. Even BLM is shy the support.

I asked Kevin Minoli this morning to provide information on what thoughts OGC has given to NSPS for powerplant and NSPS for methane reconsideration. That's next and we need to get on both per the EO.

From: POLITICO Pro Energy [mailto:politicoemail@politicopro.com]
Sent: Tuesday, May 2, 2017 5:47 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Morning Energy: Methane CRA's fate remains unclear as time runs down — LaFleur queries New England states on market options — House subpanel tackles monument designations

By Anthony Adragna | 05/02/2017 05:43 AM EDT

With help from Jason Huffman and Annie Snider

METHANE CRA PICTURE REMAINS FUZZY: There's little more than a week left for Congress to nullify Obama-era regulations using the Congressional Review Act, but whether the Senate will be able to ax a BLM rule targeting methane emissions from oil and gas drilling on public lands remains as hazy as ever. Sen. John Barrasso said last week he was confident his resolution to block the rule would pass, but he doesn't yet appear to have the 50 votes he needs (with Vice President Mike Pence breaking the tie) firmly locked down. Environmentalists and Senate aides hoping to defeat the resolution are eyeing four publicly undecided senators — Democrat Heidi Heitkamp and Republicans Rob Portman, Cory Gardner and Dean Heller. (Don't forget, Sens. Lindsey Graham and Susan Collins have already signaled their opposition, so Barrasso could only afford to lose one more vote.)

"There are a few key players who have not yet declared their intentions," Robert Dillon, vice president of communications with the American Council for Capital Formation, a big CRA backer, told ME. "The whip operation continues and we continue to encourage members to vote for the CRA." Both Gardner and Portman told ME they were undecided late Monday, and Heather Taylor-Miesle, executive director of the Ohio Environmental Council, said the grassroots continued to push Portman against the resolution: "We had 5,000 people attend a tele-townhall on the issue last week here in Ohio so we know that people are concerned and want the senator to fiercely oppose any efforts to stop the methane rule," she told ME. A spokesman for Senate Majority Leader Mitch McConnell declined to comment on the CRA's timing, though ME hears rumblings it could slip until next week.

That comes as a former top Interior official sent a letter to Senate leadership warning "repealing this rule through the CRA will impair, if not eliminate altogether, BLM's ability to promote recapture of wasted gas" without Congress stepping in with new legislation. John Leshy, who served as the agency's solicitor from 1993-2001, warned: "Using the blunt instrument of the CRA might make a nice headline, but it could also forever insulate the industry from meaningful, effective regulation on this important subject, unless the Congress could muster the political will to provide new authority in new legislation."

LET'S MAKE A DEAL? Day two of FERC's much-watched technical conference kicks off today at 9 a.m., one day after Acting FERC Chairman Cheryl LaFleur questioned whether New England grid members would be able to reach an agreement with the agency to adapt the wholesale markets to their individual power generation goals by overcoming differences between state energy policy goals, Pro's Esther Whieldon reports. States appear to want FERC to help keep power plants online and offer incentives for new plants to ensure grid reliability, but don't want interference in their policy goals or to be on the hook for subsidizing other states' efforts. LaFleur noted some state officials had expressed a "lack of trust in FERC solutions."

That comes as New York state Democrats hammered Gov. Andrew Cuomo's top energy officials Monday about a nuclear subsidy for upstate plants, questioning its \$1 billion cost in the first two years, whether enough alternatives were considered and why downstate ratepayers are footing the bill, POLITICO New York's Marie J. French reports.

WELCOME TO TUESDAY! I'm your host Anthony Adragna, and LCV President Gene Karpinski was the first of many to identify Chris Dudley as the NBA player-turned Republican Oregon gubernatorial nominee. For today: What former professional basketball player later chaired the House Natural Resources Committee? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter [@AnthonyAdragna](https://twitter.com/AnthonyAdragna), [@Morning_Energy](https://twitter.com/Morning_Energy), and [@POLITICOPro](https://twitter.com/POLITICOPro).

GUIDE TO FEDERAL BUDGET & APPROPRIATIONS PROCESS: The federal budget process is complicated; brush up on your knowledge so you're ready to act as the budget winds its way through Congress. [Download your guide.](#)

HEARING TO TARGET 'WORST OF THE WORST' OBAMA LAND, SEA GRABS:

Ranchers, lumber companies and commercial fishing operations will all be watching closely this morning when a House Natural Resources Committee panel paints a bull's eye on what Chairman [Rob Bishop](#)'s office describes as the "worst of the worst" examples of President Barack Obama's "excessive use" of the Antiquities Act to lock up more than 550 million acres of land and water with national monument designations. Among the areas to get attention: Bears Ears, in Bishop's home state of Utah; Katahdin Woods and Waters in Maine; Cascade-Siskiyou in Southern Oregon and Northern California; and Northeast Canyons and Seamounts Marine Monument off the coast of New England.

The [event](#), which will feature four witnesses, including Maine Gov. Paul LePage, builds off President Donald Trump's [executive order](#) to have Interior review two dozen national monuments created since Jan. 1, 1996. It kicks off at 10 a.m. in Longworth 1324. [Here's](#) a background memo.

Groups oppose any rollbacks: An eclectic group of 450 organizations, ranging from the NAACP to Patagonia to the Center for American Progress, is sending a [letter](#) today to Trump, Interior Secretary Ryan Zinke and Commerce Secretary Wilbur Ross urging them to oppose "any efforts to remove or decrease protections for any national monuments." They'll present it at a 9:30 a.m. press conference held by House Natural Resources Ranking Member [Raul Grijalva](#) ahead of the hearing.

OOPS: Trump's EPA team appears to have left up the agency's climate change page in Spanish, after removing the English-language version as part of a larger overhaul announced Friday night. [Link here](#) and [a screenshot](#) if it goes away.

AND... WE'RE OFF! Speaking at a Consumer Energy Alliance event in Houston, Zinke signed a [secretarial order](#) Monday directing BOEM to start a review of the agency's five-year plan for offering oil and gas leases in federally controlled waters, [Pro's Esther Whieldon reports](#). "We're going to look at everything," Zinke said of the review, which he said previously could take two years. He also complied with Trump's directive to review the well control rule for offshore drilling.

Ally nabs new Interior position: Zinke [announced](#) Vincent DeVito, the treasurer of his former congressional leadership PAC, would be in charge of coordinating the agency's energy policies across its nine bureaus, [Esther reports](#). "We have to look at ourselves through to make sure we're streamlined and our regulations aren't arbitrary," Zinke said. It's a newly created position that will not require Senate confirmation.

For your radar: Zinke is delivering remarks at 9:15 a.m. at the [National Tribal Energy Summit](#) at the JW Marriott Washington.

BEACHHEAD MEMBER GETS BIGGER DOE ROLE: Daniel Simmons, a former vice president for policy at the libertarian-leaning IER, today becomes acting assistant secretary for the Office of Energy Efficiency and Renewable Energy, [Pro's Darius Dixon reports](#). Simmons can only hold the position on a temporary basis without being nominated and confirmed by the Senate.

MAIL CALL! LET'S HATCH A PLAN, MR. PRUITT: Four Senate EPW Democrats — Tom Carper, Sheldon Whitehouse, Ed Markey and Jeff Merkley — sent a letter to EPA Administrator Scott Pruitt Monday seeking documents concerning the administrator's decision last week to pull out of an Oklahoma Republican Party gala. They also asked Pruitt to describe what steps he'll take to comply with the Hatch Act, which aims to stop federal workers from politicking while on duty, going forward.

SCHUMER HIGHLIGHTS EPA PROTECTION IN OMNIBUS: Senate Minority Leader Chuck Schumer touted two key Democratic omnibus victories Monday: the preservation of 99 percent of EPA's budget "so their quest to keep our water and air clean will be able to continue" and the permanent extension of health benefits for coal miners. He praised West Virginia Sen. Joe Manchin as "relentless, even after disappointment after disappointment, at holding the Senate's feet to the fire and making sure this was done." Speaking of which, ME's never seen anything quite like this before: A letter from Speaker Paul Ryan praising Rep. David McKinley for his "relentless" efforts at securing the compromise.

DRINKING WATER VIOLATIONS ARE DE RIGUEUR: Roughly a quarter of all Americans are served by drinking water systems that violated federal drinking water standards in 2015, according to a report out later today from the Natural Resources Defense Council. The report, which calls for greater enforcement and investment in the drinking water sector, found nearly 80,000 violations at systems across the country, with small, rural systems accounting for more than half of those.

No cop on the beat: As last year's failure in Flint, Mich., illustrated, EPA and states are loath to penalize water systems that violate the law. The NRDC report found that nine out of 10 violations were faced no formal action, and just 3.3 percent resulted in financial penalties.

COMMENTS READY? EPA's water office will hold a 3-hour-long virtual public listening session today as it solicits suggestions for regulations to scrap, change or replace. With two weeks left until the formal comment deadline, more than 35,000 public comments have rolled in to the docket.

SEE YOU IN COURT! A group of children seeking to force the federal government to take drastic action on climate change should be allowed to make their case in court, a magistrate judge assisting with the case recommended Monday. As Pro's Alex Guillén reports, the Trump administration asked a federal district court judge in March to allow the 9th Circuit Court of Appeals to consider tossing the case before it went to trial before her. District Court Judge Ann Aiken must now decide whether to agree with Magistrate Judge Thomas Coffin's recommendation or give her blessing to the Trump administration's early appeal effort.

WORK BEGINS ON COAL ASH GUIDANCE: EPA is currently working on the needed guidance to review and approve states' coal ash permitting programs, Administrator Scott Pruitt wrote in a letter to Nevada Gov. Brian Sandoval. As Pro's Alex Guillén reports, a December water infrastructure package included a coal ash compromise that shifted permitting responsibilities to the states, which must first get EPA approval of their programs' broad contours, while the agency gained more enforcement powers and other concessions.

DID YA GET THAT MEMO? Sen. Claire McCaskill sent a letter to Energy Secretary Rick Perry seeking information about how his agency is addressing concerns raised in a GAO report about its ability to identify and prevent contracting fraud. "Oversight challenges with management of fraud risk and improper payments exist across the DOE complex," she wrote. "It is apparent that the risk is actually unknown because DOE does not adequately assess or oversee

it." The Energy Department "generally concurred" with a series of the GAO recommendations, but nevertheless rated its fraud risk as "low" and disagreed with a number of the report's conclusions.

STATES RATE TOP ENVIRONMENTAL RESEARCH NEEDS: Top environmental and public health challenges for states include water quality, remediation of contaminated sites, and nutrient and nonpoint water contamination, according to [a survey of state needs](#) released Monday by the Environmental Council of the States.

RECORDS SOUGHT OF NOAA CHAT RECORDS: The Cause of Action Institute has filed a [FOIA request](#) seeking NOAA employee communications during a recent New England Fishery Management Council meeting April 18-20. "CoA Institute is concerned that NOAA may be unlawfully destroying records of these communications," the request said. That's because it appears certain Google Chat records may not have been retained. The FOIA marks the [latest attempt](#) to seek records of chat communications from federal employees.

McKIBBEN GETS ACADEMIC TREATMENT: There's now a [full-length academic paper](#) looking at the role of Bill McKibben on the U.S. climate debate. It concludes that while divestment itself achieved "little traction," previously marginalized liberal policy ideas "gained increased attention and legitimacy."

Meanwhile, the Independent Petroleum Association of America is promoting [another paper](#) that attempts to quantify the costs of divestment to students and faculty at both public and private institutions.

MOVER, SHAKER: Christopher Smith, former assistant secretary for fossil energy at DOE under President Obama, has been named Baker Institute Advisory Board Fellow in Energy Studies at Rice University's Baker Institute for Public Policy.

QUICK HITS

- 50 percent of US coal jobs are in just 25 counties. [Quartz](#).
- Britain's energy supply is in jeopardy after Brexit, warn MPs. [Guardian](#).
- Top Ethics Officer Challenges Trump Over Secret Waivers for Ex-Lobbyists. [New York Times](#).
- Unions praise McConnell for deal to fix health benefits of retired miners. [Lexington Herald-Leader](#).
- Big short position on biofuels generated profit for Icahn's refiner. [Reuters](#).
- Oil Price Optimism Wears Off as Texas Wildcatters Drill On. [Bloomberg](#).

HAPPENING TUESDAY

10:00 a.m. — "[Consequences of Executive Branch Overreach of the Antiquities Act](#)," House Natural Resources Subcommittee on Federal Lands, 1324 Longworth

10:00 a.m. — Senate Energy and Natural Resources Committee hearing on federal lands, 366 Dirksen

12:00 p.m. — "Nuclear for the Next Generation," The Nuclear Energy Institute and Partnership for Global Security, National Press Club, 529 14th St. NW

12:00 p.m. — Alston & Bird panel on pharmaceutical waste, 950 F Street NW

1:00 p.m. — "Tipping Points in Global Environmental Policy," World Resources Institute, James A. Harmon Conference Center, 10 G Street NE, Suite 800

THAT'S ALL FOR ME!

To view online:

<https://www.politicopro.com/tipsheets/morning-energy/2017/05/methane-crisis-fate-remains-unclear-as-time-runs-down-022622>

Stories from POLITICO Pro

FERC's LaFleur presses New England states on market options Back

By Esther Whieldon | 05/01/2017 06:15 PM EDT

Acting FERC Chairman Cheryl LaFleur Monday questioned whether the New England grid members could overcome their state policy differences and cut a deal with FERC to adapt the wholesale markets to their individual power generation goals.

Some of the ISO New England states have required their utilities to purchase renewable energy from wind farms or hydroelectric plants, and Connecticut is considering mandates to support its nuclear power plants. Those requirements have jolted the wholesale power markets — potentially forcing FERC to step in with new market rules to mitigate the price impacts, or back down and allow the state subsidies that could push some fossil fuel plants into retirement.

LaFleur noted that the state officials who were participating in Monday's discussions or sent in comments had expressed a "lack of trust in FERC solutions." While the states want the wholesale market to help keep power plants online and offer incentives for new plants to ensure grid reliability, they don't want the market to interfere with their policy goals.

"Do you think there's a way to define what the states want and price it, or do the states want by definition the ability to choose?" LaFleur said.

"There's a lot of value in having ISO run markets," said Jeffrey Bentz, director of analysis for the New England States Committee on Electricity, a group that represents the governor of the six New England states. But states are still undecided on what they want more broadly, he said. "We get that question, we have to answer it. The ball's in our court," he said.

Bentz and officials from New Hampshire and Connecticut said in addition to their wariness over FERC rule changes, cost is an issue, since they did not want their consumers to be subsidizing policy goals in other states.

"What I want is not to pay for Massachusetts' and Connecticut's policies, bluntly, so that shows you the dynamic there," said Robert Scott, a commissioner on the New Hampshire Public Utilities Commission.

"I'll agree with you there actually," said Rob Klee, a commissioner of Connecticut's Department of Energy and Environmental Protection.

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Assembly Democrats not satisfied with administration's answers on nuclear subsidy [Back](#)

By Marie J. French | 05/01/2017 05:27 PM EDT

ALBANY — Assembly Democrats hammered Gov. Andrew Cuomo's top energy officials during a hearing on Monday about a subsidy for upstate nuclear plants that took effect a month ago.

The lawmakers questioned whether the cost — about \$1 billion in the first two years — is necessary, what alternatives were considered and why downstate ratepayers are footing the bill.

Not all of those questions were satisfactorily answered, said Assemblyman Jeffrey Dinowitz, who chairs the Corporations, Authorities and Commissions Committee. Dinowitz has raised concerns about Exelon, which operates the plants, making a profit from the subsidy, as opposed to the funds being used for operational costs to keep the plants open.

He said his questions about that possibility were not answered by interim Public Service Commission chair Gregg Sayre.

"He didn't have a number," Dinowitz said. "It's a bailout. There's no debate about that, the question is how big the bailout is and we don't have the answer on that. That's what I wanted to know ... How much is going directly into the pockets of the company?"

Sayre pointed to Exelon's contention that it needed \$50 per megawatt hour to make operating the plants viable. The combined price of the zero emissions credits and expected revenues for the first two years of the subsidy is slightly lower than that — about \$48 per megawatt hour.

Dinowitz pressed the point with Sayre, asking how much would be profit.

"We don't know exactly how much is profit," Sayre said, adding as Dinowitz continued his questioning, "We don't have a dollar amount."

The subsidy helps keep open four upstate nuclear reactors, three of which were in danger of closing. It was approved in August as part of the state's Clean Energy Standard, which mandates that the state get to 50 percent renewable electricity by 2030. Ratepayers around the state began paying for the zero emissions credits, or ZECs, in April.

The subsidy has been challenged in court by competing generators and an environmental group.

As lawmakers pushed for answers Monday, Cuomo officials acknowledged the difficulty of estimating the subsidy's final price. They also said siting and cost would make replacing the nuclear plants with renewables impossible in the near-term.

Opponents of the nuclear subsidy, including a coalition of environmental and good government groups behind the "Stop the Cuomo Tax" campaign, have argued that the nuclear plants can be replaced by renewable energy in a measured way. Assembly Democrats asked whether such an alternative had been considered.

Sayre said replacing all of the upstate nuclear plants — which supply about 3,200 megawatts of electricity — with renewables would cost \$100 million more annually than the subsidy. He based that figure on a very rough estimate comparing the cost of zero emissions credits for nuclear versus renewable energy credits, or RECs. He said the cost would be even greater in the future as renewable energy credits are expected get more expensive as easier-to-site projects are completed and they get pricier.

Sayre and NYSERDA president and CEO John Rhodes said it would be nearly impossible to site that much renewable capacity in a short period.

"It would've been that much more and it would've gotten worse — had we been able to site them, which of course we couldn't have done in a few months," Sayre said.

Subsidy opponents have emphasized the \$7.6 billion cost over 12 years of the plan. The subsidy will cost \$483 million annually in the first two years and is recalculated every two years. The administration offered its own estimate of \$2.8 billion, based on forecasted increases in energy prices, in late March.

Questioned by lawmakers about the certainty of such forecasts, Sayre said it was "crazy" to try to estimate energy prices 12 years in the future.

"We don't know what it's going to cost. Nobody does," Paul Agresta, the PSC's general counsel, later said.

Lawmakers also raised concerns about whether the administration has made plans for the eventual closure of the plants after the 12-year subsidy ends and the plants come up for their license renewals.

"What is the plan?" asked Assemblywoman Pamela Hunter, a Democrat from Syracuse. "I'm talking about particulars, about decimating an actual community... what is the plan for closure so communities aren't crushed?"

Sayre said there's 12 years to plan for that transition rather than a few months as the alternative.

"Your planning contingencies should have anticipated this by many years, instead of coming up on it like a bug on the windshield," said Assemblyman Steve Englebright, who chairs the Environmental Conservation Committee.

The Assembly Democrats who called the hearing, most of them from downstate, also focused on the cost of the subsidy for ratepayers in their communities when the economic benefits of the jobs saved are all upstate. The ZECs are charged on the basis of how much each energy a ratepayer uses. Since downstate consumes more of the electricity in the state, much of the subsidy comes from downstate ratepayers.

"If we use the social cost of carbon ... but we don't factor in economic development, jobs, then the cost is going to be on downstate ratepayers," said Assemblywoman Amy Paulin, who chairs the Energy Committee.

The Cuomo administration has argued that everyone in the state benefits from the avoided carbon emissions because of the subsidy, making it fair to distribute the costs equally.

It's not clear what, if any, action the Assembly Democrats will take on the nuclear subsidy. Senate Republicans have shown no interest in thwarting the subsidies, as their members represent communities near the plants.

Assemblyman Brian Kavanagh, chair of the Consumer Affairs and Protection Committee, said the lawmakers would review information provided just minutes before the hearing and then decide.

"It's still an open question how this program goes forward," he said at the end of the hearing.

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Trump orders Interior to launch national monument reviews [Back](#)

By Esther Whieldon | 04/26/2017 11:48 AM EDT

President Donald Trump today ordered his administration to consider whether to shrink or eliminate national monuments that have placed millions of acres of federal land off limits to development.

Trump signed an executive order directing Interior Secretary Ryan Zinke to review two dozen monuments that were created since the Clinton administration. The president also asked Zinke to come up with possible legislative fixes to the 1906 Antiquities Act, which gives presidents wide latitude to establish national monuments on federal lands.

At the signing at the Interior Department, Trump said former President Barack Obama had abused the Act to implement a land grab that placed 265 million acres under the control of the federal government.

"Today we are putting the states back in charge," Trump said

Conservation groups [worry](#) Trump and Zinke could weaken the underlying law that has been a conservation tool for 16 past presidents and potentially open up sensitive areas to fossil fuel development. Legal experts say it is unclear whether Trump could fully revoke previous monument designations, but he may be able to shrink the size of protected areas. Congress would have to implement any changes to the Antiquities Act itself.

Ahead of the signing, Zinke said "somewhere along the way, the Act became the tool of political advocacy rather than public interest, and it is easy to see why some designations are viewed negatively by those most impacted."

WHAT'S NEXT: Zinke is directed to come back with an interim report within 45 days and a final report in 120 days, and any actions Trump takes as a result are likely to face legal challenges, especially if he tries to revoke previous designations.

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Zinke starts offshore leasing program review [Back](#)

By Esther Whieldon | 05/01/2017 03:52 PM EDT

Interior Secretary Ryan Zinke signed a secretarial order today directing BOEM to start a review of the agency's five-year plan for offering oil and gas leases in federally controlled waters.

The move follows President Donald Trump's Friday [executive order](#) directing the agency to launch the review of the leasing plan set in place by the Obama administration.

"We're going to look at everything," Zinke said before signing the order at a Consumer Energy Alliance event in Houston, which was streamed on Facebook.

WHAT'S NEXT: Zinke told reporters last week the review of the offshore plan could take two years to complete.

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Zinke taps political ally to coordinate Interior energy work [Back](#)

By Esther Whieldon | 05/01/2017 04:49 PM EDT

Interior Secretary Ryan Zinke today named the treasurer of his former congressional leadership PAC to a newly created position coordinating the agency's energy policies across its nine bureaus.

Vincent DeVito, a Boston-based energy lawyer, will be counselor to the secretary for energy policy, where he will be responsible for ensuring all the agencies are on the same page, Zinke said at a Consumer Energy Alliance event in Houston, which was streamed on Facebook.

Between the Fish and Wildlife Service, BOEM, BSEE, BLM "and all the different departments I have, it's confusing for me," Zinke said.

"So I just need a single point of contact. ... We have to look at ourselves through to make sure we're streamlined and our regulations aren't arbitrary," he said.

When Zinke was a member of the House, DeVito, a partner at Bowditch & Dewey, was listed as treasurer for Zinke's leadership PAC, the Supporting Electing American Leaders or SEAL PAC.

DeVito has worked on a number of energy issues, including on [pipelines](#). He represented conservation land trusts in opposing Northeast Energy Direct — a project Kinder Morgan withdrew its federal application in May 2016.

DeVito also worked in the George W. Bush administration as Department of Energy's general counsel's office and as DOE's U.S. Assistant Secretary of Energy for Policy and International Affairs.

WHAT'S NEXT: DeVito does not require Senate confirmation for his newly created position, and Zinke did not provide any indication of when President Donald Trump would nominate more senior leaders at Interior.

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DOE beachhead member lands senior EERE post [Back](#)

By Darius Dixon | 05/01/2017 05:30 PM EDT

The Institute for Energy Research's Daniel Simmons will take up a leading post at the Department of Energy as the acting assistant secretary for the Office of Energy Efficiency and Renewable Energy, the agency said in an email to staff today.

DOE said Simmons, a former vice president for policy at the libertarian-leaning IER, would take the role of principal deputy assistant secretary for the office effective today. However, without an EERE assistant secretary who has been nominated and confirmed by the Senate, Simmons can only hold the position on a temporary basis.

DOE confirmed Simmons' appointment.

Simmons was a member of President Donald Trump's transition and beachhead teams at DOE. Before joining IER, he directed the Natural Resources Task Force at the American Legislative Exchange Council.

Steven Chalk, who had served in the position for the past few months, will now return to his role as the deputy assistant secretary for operations, according to the email.

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Pruitt won't attend Oklahoma GOP fundraiser [Back](#)

By Annie Snider | 04/27/2017 09:59 AM EDT

EPA Administrator Scott Pruitt will not attend a May 5 Oklahoma GOP fundraiser because of a flier touting his appearance, he said this morning.

"We're not going to be able to attend because of the invitation that was sent out," Pruitt told Fox News Radio host Brian Kilmeade.

Pruitt noted that his attendance had been approved in advance by EPA's ethics office, but it was the flier, which used his title and promoted remarks he would make about his EPA job, that "prevented my attendance."

Sen. [Sheldon Whitehouse](#) (D-R.I.) this week alleged that Pruitt's appearance would violate the Hatch Act, the law limiting political activities by presidential appointees and other government officials, and asked the U.S. Office of Special Counsel to investigate.

In the radio interview, Pruitt was asked whether he will urge Trump to exit the Paris climate change agreement. "Without a doubt, yes," he responded.

"It's just a bad business deal, it's something we need to exit. We need to stay at the table, we need to show the leadership to the rest of the world as we already are, but Paris is ... an America last strategy as opposed to an America first strategy," he said.

After an uproar over previous comments about the role carbon emissions play in climate change, Pruitt today acknowledged that "climate change is occurring and human activity contributes to

that, carbon contributes to that." But, he said, "we can't measure with precision the amount of human activity, what it contributes to that climate change."

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Let kids' climate suit go to trial, judge recommends [Back](#)

By Alex Guillén | 05/01/2017 04:21 PM EDT

A federal magistrate judge today said that a group of children seeking to force the federal government to take drastic action on climate change should be allowed to make their case in court.

The Trump administration, backed up by the oil and manufacturing industries, in March asked a judge in the U.S. District Court in Oregon to let them leapfrog her and ask the 9th Circuit Court of Appeals to toss out the case before it goes to trial.

In a 16-page [recommendation](#) today, Thomas Coffin, a magistrate judge assisting with the case, recommended that District Court Judge Ann Aiken reject the administration's request. Aiken [concluded](#) last year that there were enough questions to merit a trial.

Many of the legal questions are inextricably tied to scientific questions about climate change's causes and risks, as well as the government's past and current efforts to curb greenhouse gases or encourage fossil fuel development, Coffin wrote. A trial would allow the Trump administration and industry groups to present any evidence against climate change and its risks in a public forum, he added.

The children behind the lawsuit argue that the government has violated a public trust doctrine by knowing of climate change for decades but not doing enough to combat the threat. The Obama and Trump administrations have rejected that argument.

The Trump administration could still ask the 9th Circuit to get involved, but officials would have a much harder time if Aiken agrees with Coffin.

WHAT'S NEXT: Judge Aiken must decide whether to agree with Coffin's assessment or give her blessing to the Trump administration's early appeal effort.

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Pruitt says EPA working on plans to approve states' coal ash programs [Back](#)

By Alex Guillén | 05/01/2017 05:17 PM EDT

EPA is working on its procedures for reviewing and approving states' coal ash permitting programs, Administrator Scott Pruitt said in a Friday [letter](#).

A water infrastructure package that was signed into law in December included a bipartisan compromise on coal ash regulation that came in response to EPA's 2014 regulation on coal ash, a toxic byproduct of burning coal for electricity. The [compromise](#) shifted permitting responsibilities to the states, which must first get EPA approval of their programs' broad contours, while EPA gained more enforcement powers and other concessions.

EPA is currently working on the needed guidance for states to seek such approval, Pruitt wrote in a letter to Nevada Gov. Brian Sandoval.

"EPA has started developing guidance for states about how EPA expects to review and approve state applications to operate permit programs and allow flexibility in individual permits in lieu of the national standards," Pruitt wrote.

The topic was discussed at a recent gathering of state environmental officials, and the agency plans to go into technical detail with the Association of State and Territorial Solid Waste Management Officials, Pruitt added.

WHAT'S NEXT: EPA will develop draft guidance and may seek public input before issuing final guidance on how it will review state submissions.

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Bipartisan coal ash provision included in final WRDA [Back](#)

By Alex Guillén | 12/05/2016 04:28 PM EDT

The final version of the [Water Resources Development Act](#) released today by House and Senate negotiators includes a tweaked version of language passed earlier this year by the Senate that would change the permitting and enforcement regime for EPA's coal ash rule.

The language will require states to get EPA approval for their coal ash disposal permitting plans, and the agency will also gain more enforcement powers, on top of potential citizen lawsuits.

"This new permitting authority fixes the main problems with the recent coal ash regulation issued by the Environmental Protection Agency, by removing citizen suits as the sole means of enforcement and allowing states to tailor permit requirements on a case-by-case basis," Sens. [Jim Inhofe](#), [Joe Manchin](#), [Shelley Moore Capito](#) and [John Hoeven](#) said in a joint statement.

The provision won bipartisan backing, although various environmental groups, including the Sierra Club, Environmental Integrity Project and the Waterkeeper Alliance, raised issues with the language.

The new language would also extend EPA's timeline to review authorized state programs from every five years to every 12 years. And it gives EPA more time to review state programs, includes language allowing states to ask EPA to review a neighboring state's program, and requires EPA to operate a backstop permit program for states without authorized programs.

The bill is expected to hit the House floor this week.

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Conservatives demanding details on federal workers' encryption use [Back](#)

By Andrew Restuccia | 02/14/2017 03:00 PM EDT

Republicans in Congress and their conservative allies are demanding details about federal workers' use of encrypted messaging apps, part of a broader counterattack on employees suspected of opposing President Donald Trump's agenda.

Congressional Republicans are also pondering changes to longstanding laws that protect government workers, further stoking fears among some federal employees that the new administration's supporters are out to squash dissent.

Republicans on the House Science Committee took up the cause on Tuesday by asking EPA's inspector general to review reports that agency employees are using an app called Signal, which allows people to exchange encrypted text messages and phone calls. POLITICO reported this month that a group of fewer than a dozen EPA employees were using the app to discuss what they would do if Trump's political appointees flout the law or delete valuable scientific data.

The anti-Trump resistance has infuriated Republicans, who fear that dissenters in the government could undercut the president's policy proposals by unleashing even more embarrassing leaks. They also contend that the use of encrypted messaging circumvents federal record-keeping laws — an argument Science Chairman Lamar Smith (R-Texas) echoed in Tuesday's letter.

"[T]he Committee is concerned that these encrypted and off-the-record communication practices, if true, run afoul of federal record-keeping requirements, leaving information that could be responsive to future Freedom of Information Act (FOIA) and congressional requests unattainable," wrote Smith, who organized the letter to the IG. The panel has jurisdiction over many cybersecurity issues.

Outside conservative groups have launched similar efforts.

Citing POLITICO's story, the Cause of Action Institute, a right-leaning watchdog group, filed a request under the Freedom of Information Act this month seeking EPA employees' communications using Signal. "The bottom line is: An encrypted app is basically a way to avoid transparency," Institute Assistant Vice President Henry Kerner said in an interview.

It's not just encryption that is raising eyebrows. Republican research firm America Rising filed a FOIA request this month seeking all emails sent by John O'Grady, a top union official at the EPA, that "mentions or refers to President Trump."

The FOIA request came in response to O'Grady's comments to The Washington Post that Trump's decision to firing then-acting Attorney General Sally Yates "sends kind of a chilling effect" through agencies. O'Grady did not respond to a request for comment.

"The public is entitled to know whether career federal government employees are engaged in partisan politics on the taxpayers' dime," said Allan Blutstein, vice president of FOIA operations at America Rising.

EPA employees said they are not using Signal for official government business, and they raised concerns that they're being targeted because they are critical of Trump.

"I don't think anybody can dictate which apps we use on our personal time, for personal conversations," one EPA employee told POLITICO.

The debate comes as employees across the government — political appointees and career officials alike — are increasingly relying on encrypted messaging apps, fearing repercussions if their private conversations are made public.

National security officials have long used encrypted mobile phone software like Signal and WhatsApp to communicate with reporters and other staffers. Signal frequently comes up in articles advising people how they can communicate free of snooping from government officials or hackers, especially following the massive leaks of stolen Democratic Party emails that roiled last year's presidential election.

Trump's appointees have gotten into the act, too: The Washington Post reported this week that administration staff members are using an app called Confide, which deletes messages once they are read, because they're afraid of being accused of leaking to the press. That's also a threat to transparency and accountability, argued Tom Fitton, president of the conservative activist group Judicial Watch, in an interview with POLITICO on Tuesday.

"If they're conducting government business via an application that destroys records, that's a problem that needs to stop," said Fitton, adding that the administration needs to either train its staff on the issue or send them a reminder. He added that the Trump administration is "asking for a lawsuit from either Judicial Watch or someone else if they don't get their act together on these records policies."

Asked if the House Science Committee will pursue a similar probe of White House staffers' use of encrypted messaging apps, spokeswoman Kristina Baum declined to make any commitments. But she said the panel "intends to continue to monitor" cyber issues.

The growing tension across the government has some career employees worried that Republicans will try to make radical changes to laws protecting federal workers — a move that could make people more fearful to speak out against Trump. Trump has already imposed a freeze on most federal hires and has promised to reduce the size of the workforce.

"Frankly, the climate has shifted rather dramatically and we've gone from a chief executive who respects civil servants to a rather bombastic, disdainful chief executive who unfortunately empowers their disparagement," Rep. Gerry Connolly (D-Va.) said in an interview.

Rep. Jason Chaffetz (R-Utah), chairman of the House Oversight Committee, is eyeing a major overhaul of the civil service system. He has discussed phasing out pensions for new government employees, instead relying on a defined-contribution plan like a 401(k), and has advocated making it easier to fire problem workers. Chaffetz reportedly talked about some of these issues during a recent meeting with Trump.

Connolly said he's concerned that the Republican Congress could win enough support to move a bill gutting civil service protections. "It is very alarming and I think frankly very destructive in terms of the fabric of a free government and a free society," he said.

In the Senate, lawmakers are also considering changes to civil service laws, but Sen. James Lankford (R-Okla.) said he is eyeing targeted tweaks that can win bipartisan support, such as efforts to improve the hiring process.

"If we can keep it small and we can keep it targeted, I think we can move it through unanimous consent," said Lankford, who chairs the Homeland Security and Governmental Affairs

Committee's panel on regulatory affairs and federal management. "We need to be better at hiring. If we're better at hiring we don't have to worry about firing."

Alex Guillén and Eric Geller contributed to this story.

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Not really



Not at all

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Sent: 8/22/2018 4:39:41 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
CC: Abboud, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b6f5af791a1842f1adcc088cbf9ed3ce-Abboud, Mic]; Hewitt, James [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41b19dd598d340bb8032923d902d4bd1-Hewitt, Jam]; Beach, Christopher [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6b124299bb6f46a39aa5d84519f25d5d-Beach, Chri]; Block, Molly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=60d0c681a16441a0b4fa16aa2dd4b9c5-Block, Moll]
Subject: Re: ICYMI: Barrasso Op-Ed: New EPA Plan Puts States in the Driver's Seat

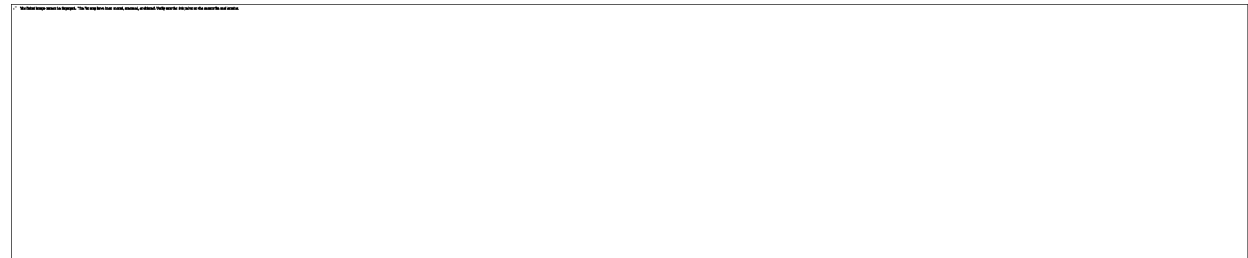
This is great! Icing on the cake.

Sent from my iPhone

On Aug 22, 2018, at 11:22 AM, Konkus, John <konkus.john@epa.gov> wrote:

Looks like Barrasso did the opposing view op-ed for the USAToday.

From: Danylak, Mike (EPW) [mailto:Mike_Danylak@epw.senate.gov]
Sent: Wednesday, August 22, 2018 11:17 AM
To: Danylak, Mike (EPW) <Mike_Danylak@epw.senate.gov>
Subject: ICYMI: Barrasso Op-Ed: New EPA Plan Puts States in the Driver's Seat



For Immediate Release:
August 22, 2018

Contact: Mike Danylak ~202.224.1049
Mike_Danylak@EPW.Senate.Gov

In Case You Missed It...
**Barrasso Op-Ed: New EPA Plan Puts
States in the Driver's Seat**

"Under the Obama administration, coal was under attack. The so-called Clean Power Plan would have cost energy workers their jobs and raised energy bills for hardworking families."

By: U.S. Senator John Barrasso
August 22, 2018

USA Today

The Obama administration abused environmental laws by issuing punishing regulations. It tried to transform the energy sector by declaring war on coal.

My home state of Wyoming felt the effects firsthand. Wyoming is America's leading coal producer. Coal creates good paying jobs, helps communities grow, and provides affordable energy.

Under the Obama administration, coal was under attack. The so-called Clean Power Plan would have cost energy workers their jobs and raised energy bills for hardworking families. The plan risked devastating communities in Wyoming and across the nation. It would have increased costs and had a negligible effect on the environment.

The burdensome regulation wasn't just bad policy — it was also illegal. The EPA went well beyond its authority. For that reason, Wyoming and 26 other states challenged the Clean Power Plan in court. The Supreme Court immediately recognized the legal flaws of the rule and took the unprecedented step of putting it on hold.

Now, the Trump administration is taking important action to remove that broken plan. The new proposal is built on an open dialogue with states and folks from across the country. The point of this process: to see whether there is a reasonable and legal solution.

The Clean Air Act places clear limits on how Washington can regulate emissions from energy sources. States are supposed to be in the driver's seat when determining the emissions limits that apply to power plants.

Energy production and use vary from state to state. States need maximum flexibility under the Clean Air Act. It is the states that can best tackle the question of how we reduce emissions without raising people's electric bills and hurting our economy. The Obama top-down mandate from Washington wasn't legal and wouldn't work.

States must play a significant role in this process. Workers from Wyoming to West Virginia, who would've been directly impacted by this regulation, now have a seat at the table.

Sen. John Barrasso, R-Wyo., is chairman of the Senate Committee on Environment and Public Works.

###

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The content image001.jpg of type has been blocked.

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 5/22/2017 5:15:02 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Draft Coal Caucus Meeting Release

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

###

John Konkus
Deputy Associate Administrator
Office of Public Affairs
Cell: **Personal Phone / Ex. 6**

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 5/22/2017 3:37:54 PM
To: Konkus, John [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=555471b2baa6419e8e141696f4577062-Konkus, Joh]
Subject: Draft

Deliberative Process / Ex. 5

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 6/5/2017 7:13:37 PM
To: justinfox@bloomberg.net
Subject: FW: question from Bloomberg News

On background – without attribution – flagging that on ABC he said coal jobs and then corrected himself and said mining jobs. Given that he corrected his mistake on ABC, I don't know what the story is here but below is the transcript from ABC.

ADMINISTRATOR PRUITT: "the new york times" had an article within the last couple of days that talk about small business celebrating, euphoria, with respect to the president's decision. it's very speculative in my estimation, george, for those multinational companies to say this is going to somehow impact the exporting of green technology across the globe. what we do know, objectively, is that the paris agreement represented a \$2.5 trillion reduction in our gross domestic product over ten years. it impacted up to 400,000 jobs. it makes common sense. that when you take energy sector jobs and say, we're no longer going to produce energy in those sectors, it will affect the manufacturing base and jobs in the country. **we have had over 50,000 coal jobs, mining jobs created.**

From: Justin Fox (BLOOMBERG/ NEWSROOM:) [<mailto:justinfox@bloomberg.net>]
Sent: Monday, June 5, 2017 11:22 AM
To: Press <Press@epa.gov>
Subject: question from Bloomberg News

Greetings!

I'm a columnist at Bloomberg View, Bloomberg's opinion operation, and I am probably going to be writing something today that mentions the EPA administrator's comment on TV over the weekend that the "coal sector" had "added almost 50,000 jobs" since the fourth quarter of last year. Obviously that's not true of coal mining, which employed only 51,000 people total in May. But I guess "coal sector" could be interpreted more broadly than that, so I was wondering if there was any kind of explanation for where those numbers came from.

(I sent a version of this email to Enesta Jones, but figured I should probably try the main press address too.)

All the best,

Justin Fox

Justin Fox

Bloomberg View

office - **Ex. 6**

mobile - **Personal Phone / Ex. 6**